

THE
L A W S
O F
HONOR:

O R,
An Account of the Suppression
O F
DUELS in FRANCE.

Extracted out of the King's Edicts, Regulation of the Marshals, Records of Parliament. Published for the use of English Gentlemen, who have the Honor to carry Arms.

Let this be Printed

Norfolk and Marshal.

L O N D O N,

Printed for *Thomas Flesher*, over against
Distaffe-Lane in the *Old Change* 1685.

THE
LAW
OF
HONOR

OF
DUELS IN FRANCE

Extracted out of the King's Edicts, the
Regulation of the Ministers, Records
of Parliament, Published for the use
of English Gentlemen, who have the
Honor to carry Arms.

Let this be printed

Wm. Stansfeld

Printed for Wm. Stansfeld, at the
Sign of the Gun, in St. Dunstons Church-yard, near
St. Dunstons Church, in the City of London.

*To the most High, Puissant, and Noble
Prince, Henry Duke of Norfolk; Earl
Marshal of England; Earl of Arundel,
Surrey, Norfolk and Norwich; Baron
of Wray, Howland, Seagrave, Burse
of Gower, Fitz Alan, Warren, Clun,
Oswaldestrey, Maltravers, Greystock,
Furnival, Verdon, Lovetot, Strange of
Blackmere, and Howard of Castle-Rising;
first Duke, first Earl, and first Baron of
England; Chief of the most Noble Fa-
mily of the Howards; Constable of His
Majesties Royal Castle, and Honor of
Windsor; Lord Warden of Windsor Fo-
rest; Lord Lieutenant of the Counties of
Norfolk, Surrey and Berks, and of the
City and County of Norwich; Knight of
the most Noble Order of the Garter, &c.*

And in please your Grace,

THis little Book, which shews
what Methods have been used
in France to support true Honor, by
the Suppression of Duels, that are
the effects of a false and spurious
Bravour, aspires so naturally to

The Epistle Dedicatory.

your Graces Protection, as being,
under his most Gracious Majesty,
the Chief Judge and Conservator
of the Honour of the English Nobility,
that the Presumption is only in
him who humbly offers to present
it. I am my Lord, since the Exer-
cise, as well as Jurisdiction of Ho-
nour, is equally hereditary in your
Grace, give me leave to hope that
your Baron may be extended for
pardoning, no less than for com-
manding: And that you will make
it appear, that you excel as much
in Condescension as Dignity, by
smiling favourably upon this sub-
missive Address of,

My Lord,

Your Graces

Most humble and

Obedient Servants,

T. Fleisher.

THE

THE PREFACE.

AS there is nothing more fantastical than to refine and sublimate Honor such an airy Nicety, that the least puff of inconsiderate Breath can either blow or blast it ; so nothing can be more degenerate in reasonable Man, the visible Image of his Maker, and Prince of sublunary Creatures, than in a beastly manner to gore, kill, and destroy his fellow Creature, for a thing that hath no Subsistence, but in the vain Imagination of a whimsical Mind ; and no kind of Countenance in those parts of the

A 3 World,

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World, where Civility and Religion have been cultivated. Nevertheless during the League and Civil Wars of France, the overweening heat of that People, brought in vogue amongst themselves, and by a pernicious Contagion propagated amongst their Neighbors, who were silly enough to ape them, the inhuman and barbarous Practice of fighting and murdering one another in cold Blood, for the least ruffle of a chimerical Point of Honor, which, in Reason, ought to be manfully slighted, rather than meanly resented; since real Injuries are sufficiently provided against by Laws. And this horrid Custom growing so common, that scarcely was he lookt upon as a Gentleman of Honor, but he that had killed or fought his Man. The Inconveniencies thereof were so many,
and

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and so deplorable, and yet so hard to be remedied, that for many years, and during several Princes Reigns, no one thing more employed the Cares of the Government, both Civil and Ecclesiastick, than the rooting out of that unchristian, nay, inhuman Custom. Indeed, he, who will take the pains to peruse the many reiterated Edicts, Declarations and Decrees of the Kings and Parliaments of France, that are to be found in the Collection of them, and consider how pathetically they are worded, must needs confess, that that Government had hard struglings to make the Honor of the French Gentry sleep in a whole skin; and that the Supreme Authority of that Nation was never more audaciously slighted than in the particular of Duels.

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The design then of the following Book is to show the English Reader, what Care the Government of France, justly offended at so intolerable a Custom, took to repress it; what Laws were made, and strictly put in Execution against it; and by consequent, to convince him, how necessary the same course would be in this Nation where the same offensive Weed hath taken such deep rooting: But because the Compiler thereof hath thought it sufficient to translate only some Acts and Ordinances of the present French Kings Reign, as Virtually and Eminently comprehending all the former Laws made against duelling; for the Satisfaction of the Reader, it hath been judged pertinent, to premise, by way of Preface, a short Abstract and the Dates of the chief Edicts and Decrees, made for
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the same effect, in the Reigns of his Father and Grandfather, that in the Series of the Remedies, he may observe the progress and continuance of the Evil, which is now at length much abated, if not wholly cured.

In Order, therefore, to the Suppression of Duels, the Parliament of Paris June 26. 1599. declares all those, who revenge themselves of Injuries and Affronts by any other way, than the ordinary course of Law, guilty of High Treason; ordering the Estates as well personal as real, both of the Living and Dead, who have so offended, confiscated to the King, and all who have any way assisted, or been present at Duels, or Meetings held for such unlawful Prosecution of Quarrels, Rebels to his Majesty, Transgressors of the Law,
and

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and disturbers of the publick Peace. In consequence whereof Henry IV. by his Edict at Blois of April 1602. mentioning, that the disorders of that abominable Custom of fighting Duels for Reparation of Honor, were so great, and so much Christian Blood spilt thereby, that he could not judge himself worthy of swaying the Scepter, if he did not put a stop to that Abuse, declares in Conformity to the former Decree of Parliament, all who have fought Duels, whether they be dead or alive, guilty of Treason; and orders their Persons and Estates to be accordingly proceeded against, with Power and Injunction to the Constable and Marshals of France, the Governors and Lieutenant Generals of Provinces, &c. to give such Reparation to the Parties injured in Honor, as may both prevent the unlawful Effusi-

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on of Blood, and save the Reputation of Gentlemen: To which as all his Majesty's Subjects were to render punctual Obedience, so the Punishment against the Disobedient and Transgressors, were no ways to be remitted nor moderated.

Notwithstanding the Severity of all preceeding Edicts, so possessed were the French with the false Opinion, that their injured Honor could not be repaired but by the unlawful way of Duelling, that the same King Henry IV. in his Edict at Fontaine Blean of June 1609. regretting that the rigour of the Law did rather exasperate than repress that insolent and brutish Custom, confirms and enlarges his former Edict, and besides the Penalties

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ties above imposed, ordains Punishments for all that any way are concerned in duelling, not only the Principals, Seconds, and Carriers of Challenges, or offensive and provoking Words; but for such as come to the place assigned as Spectators, without intention of fighting, nay, and for those also, who, coming accidentally, do not endeavour to prevent the effusion of Blood; and that by Death, Confiscation of Goods, loss or suspension of Places, Fines, Imprisonment, Degradation from Honour and Infamy, according to the Share and Concern they have had in the Quarrels; dedicating to the Poor, pious and religious Uses, all the confiscated Estates and Fines that fell to the Crown by such Misdemeanours, and declaring and protesting before God,
That

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That he will never pardon any, who shall be found guilty of the Violation of that Edict; and prohibiting the Queen, Princes of the Blood, and all Courtiers whosoever, to intercede for them, upon pain of his Displeasure. However that he might in some measure comply with a pernicious Humor, that seemed incorporated into the Temper of the French Nobility and Gentry, he gives leave to those, who should imagine themselves injured and affronted beyond the Satisfaction that might be granted them by the ordinary course of Law, to make their Application to himself, or to the Constable, Marshals of France, Governors of Provinces, Lieutenant Generals, &c. and according to the nature of the Affront, he promises to allow them the Combat, if no other

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ther Satisfaction can be sufficient.

The strict Execution of these Laws, having, during the rest of the Reign of Henry IV. put some stop to the insolent and bold way of fighting upon Challenges : In the beginning of the Reign of Louis XIII. to elude the Force of the former Edicts, a new way of fighting was introduced, as upon accidental Rencounters, pretending no Challenge to have preceeded. This gave occasion to the said King by his Declaration at Paris of the first of July 1611. not only to revive and confirm the former Edicts of his Father ; but also to extend the force of the same to Rencounters, if it could be made out that any Quarrel by word or deed past before

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before betwixt Parties so engaging :
which he afterward confirmed and enlarged by his Declaration at Paris of the 18th. of January 1613. wherein, to cut off all hopes of impunity from those who should fall into such Offences, having enjoyned a strict and rigorous Execution of all former Edicts, he declares, That whosoever shall dare to make Application to him, or, to his Mother, the Queen Regent, to mediate and intercede for Pardons for such Offenders, shall incur his Indignation ; and that whosoever shall conceal or entertain such Criminals, and not inform against them, shall be reputed and punished as accessory to the Crimes ; declaring also that if parties offended in Honor, do not within a month after the Injury or Affront received, make

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make their Complaints to the Constable, Marshals and the other Judges of Honor appointed by the aforementioned Edicts, they shall not be heard for any Reparation by them, but must take their course at common Law. And the Parliament of Paris, at the Motion of the King's Attorney General, upon occasion of frequent Duellings in the Streets of that City, on the 27th. of January 1614. ratified the same Declaration, commanding the punctual Execution of the same, by the Officers of Civil Justice, and exhorting all Bishops and Prelates, according to the Edicts, to deny Christian Burial to those that should be killed in such Rencounters.

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No sooner was the same Louis XIII. of Age, but upon Complaint made to him, that amongst other Abuses, that of Duelling and Fighting upon Rencounters was still obstinately practised, notwithstanding the Severity of the Laws; he issued out a Declaration of the first of October 1614. which the day following, he himself sitting on his Throne in Parliament, was there ratified, whereby he confirmed all former Laws made against that Crime, enjoined a strict Prosecution of the guilty, and solemnly promised not to pardon such Offenders, upon any Intercession, Account or Pretext whatsoever. All this, nevertheless, was not sufficient to cool the French Blood; for Duelling still continued; so that July 14.

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1617.

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1617. the King published another Edict verified in Parliament, wherein after a Christian Preamble concerning the horridness of that detestable Crime, he not only revives all former Laws made against it, and solemnly swears never to pardon any of what Quality soever that shall be guilty of the same; but also enjoins all Judges and Courts of Justice not to have Respect to any such Pardons or Remissions presented to them, as being contrary to his Majesty's Will and Pleasure, and appoints part of the Estates confiscated for these Crimes to be given to Informers, to encourage them to prosecute the same, the rest, as before, being allotted for pious Uses. And this Edict was in March 1621. put rigorously in Execution by the Parliament of Paris,
who

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who condemned five Persons guilty of that Crime, of High Treason, adjudged their Estates forfeited, and themselves to be hanged in Person, if apprehended, and if not, in Effigie, in the publick place of Execution in Paris.

By another Edict of August 1623. published in Parliament the 29th. of the same Month, besides the Confirmation of all former Edicts concerning Duels, it is ordered, that whatever Person, whether Gentleman, Servant or Lackey, shall carry a Challenge by Word or Writing, shall without Mercy be put to Death. In pursuance of which, and all the former Edicts, April 24. 1624. the Parliament of Paris condemned Bouteville Count of Pontgibault, the

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Baron of Chantail and des Salles, for having fought a Duel on Easter Day, of High Treason, and sentenced them to be degraded from all Privileges of Honor, and declared ignoble and infamous, themselves hanged on a Gibbet in the place of Execution in Paris, and their dead Bodies carried to Montfaulcon, if apprehended, and if not, hanged in Effigie upon a Gallows in the same place; all their Houses razed and demolished, never again to be rebuilt, and the Trees growing about them lopt off by the middle, to remain as a perpetual Monument of their Crime; a Pillar of Free Stone, with an Inscription in a Copper Plate to be erected in the places, containing the Causes of that Demolition; and their Estates personal and real confiscated

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fiscated. And that this Sentence might the more effectually be put in Execution, his Majesty by his Edict of the 24th of June 1624. prohibits all Princes, Lords, and Gentlemen of what Quality soever to favour, assist or entertain the Violators of his Edicts in the matter of Duels, and all Vicars and Curats to give them Christian Burial: According to which it was decreed in Parliament upon occasion of another Duel fought by the same Bouteville and others the 28th. of January 1625. that all who did harbour, receive or assist them with Lodging, Victuals, or any thing else, should be reckoned guilty of High Treason.

Duelling, nevertheless, was still so universally practised, and so many

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Persons of all qualities, were thereby obnoxious to the Laws, that upon the Marriage of the Queen of Great Britain, Mother to his present Majesty of England, and Sister to the same Louis XIII. of France, when that Prince was to grant his Subjects some publick Act of Grace, as a Testimony of his own, and an encouragement to their Joy, upon so solemn an Occasion; nothing could be thought of, more acceptable to the publick, nor more conducive to the end proposed, than a general pardon for past Duels; which by his Edict at Paris of February 1626. he graciously granted: but at the same time, to prevent that scandalous Abuse for the future, which he had till then endeavoured by all means, but unsuccessfully, to remedy, he adds to
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all former Edicts, new Punishments, not to be dispensed with at the solicitation of any Person, nor upon any account whatsoever, as being less rigorous than those formerly imposed: And these consisted chiefly, for those who should give or receive a Challenge, without slaughter committed (the Severity of all former Edicts being reinforced against such as killed) in Banishment for a certain term of years, loss of all Places and Pensions that they held of his Majesty, which were to be conferred upon others; a third part of their Estates, and Death, if they offered to Challenge those who should be provided to their Offices and Pensions: And that a Pretext of accidental Rencounters might not serve for an Excuse to those who premeditatedly fought, nor by with-
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drawing out of the Country, or to the Frontiers upon such Designs, any might elude the force of the Law, it was ordered by that Edict, that in Rencounters, the Aggressor should be reputed and punished as a Challenger, if he could be known; and if it were doubtful who was the Aggressor, both Parties should suffer as such; That those who fought out of the Countrey, or upon the Borders, and made their Escape thither, should be proceeded against as if the Fact were committed in France; and that it should be Death and perpetual Infamy to employ Seconds, as being a sign of Cowardice, and honourable to refuse a Challenge, or being a Second, as being a mark of true Valour; his Majesty promising to honor with his Esteem, and

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employ in his Service, both Civil and Military, all who by so doing payed Obedience to his Edicts, and ordering, as in former Edicts, the Marshals of France, and other Judges of Honour, to command such Reparations of Honour to be made to the obedient, as might entirely secure their Reputation; for the more punctual performance whereof his Majesty interposes his Authority, swearing before God, never to grant any Remissions for the aforementioned Crimes, and enjoining his Judges to give no Respect to any such Pardons, if presented to them, as being surreptitiously obtained from him. And his Majesty to shew his firm Resolution to see his Edict punctually put in Execution, sometime after, upon a bare Supposition, that the Sieur of Lian-

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Liancourt had challenged the Sieur Cressias, upon some dispute that had happened betwixt the Duke of Haluin and the said Cressias, banished them all his Court, and deprived Liancourt of his place of first Gentleman of his Bed Chamber; but appearing afterward to be a false surmise, they were recalled, and Liancourt restored to his place.

In pursuance of the abovementioned Edicts, Bouteville and des Chappelles being apprehended and in Prison for another Duel, were with their Accomplices, by a Decree of the Parliament of Paris, June 21. 1627 condemned of High Treason, and sentenced to be Beheaded, and their Estates confiscated to the King. The Severity of the Edicts, never

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new beliefs, and the exemplary Execution
of them, could not so restrain the
impetuosity of the French fire, but
that the pernicious Custom of duel-
ling still continued; Insomuch that
the same King by his Declaration
of the 29th. May 1634. command-
ed all the former Edicts against
Duels to be published of new, so-
lemnly swearing, to grant no Pardon
for such Crimes, declaring those who
should intercede for such Offenders,
Enemies of his Reputation and un-
worthy of his Favor; prohibiting all
of what Quality soever to harbour or
assist such Delinquents, upon pain of
being banished the Court for a year,
and their Houses razed, and causing
his Secretaries and Keeper of the
Great Seal to be sworn, not to sign,
nor put the Seal to any Pardon for
du-

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duelling, though thereto exprefly required on his part. And the Parliament of Paris in the year 1635 declared the laſt Will and Teſtament of a Perſon of great Quality who had fought a Duel to be Null, and having forfeited his Right of teſtifying by that Crime. The ſame Parliament alſo in the years 1638, and 1639. upon Complaints made to the Court of the continued Abufe of duelling, by the Kings Attorney General, and in Obedience to a Letter from the King, in the year 1640 who in Conſideration of the Birth of the Dauphin, the preſent King of France had given a general Pardon for all preceding Duels, made ſeveral Decrees for publiſhing of new, and putting in ſtrict Execution all Laws and Edicts made againſt that barbarous and brutiſh Crime. And

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And in this state was the Kingdom of France in relation to duelling, when the present King Louis XIV. being but a Child, came to the Crown, and made a long Edict with a most Christian and Elaborate Preface to it against that Crime in the year 1643. when he entered into the Government ; which the Reader is to take notice of, as his first Edict, and not that of May 1644. that by a mistake in the Book is reckoned the first. This fortunate Prince, hath been more successful in this, as in many other great Attempts, than any of his Predecessors, and by a strict Execution of the Laws and the use of his Sovereign Authority hath taught his Subjects another way of aspiring to Honor, than by killing one another for Puntilio's and Trifles, having by the Methods
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mentioned in the following Book reduced France to submissive Obedience to the Laws, more worthy the imitation of its Neighbours, than any of the Customs and Fashions that are so frequently and so expensively brought from thence.

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ACCOUNT
OF THE
Suppression
OF
Duels and Rencounters.

Many Edicts, Declarations,
and Decrees were set forth
by the Kings and Parlia-
ments in *France* during the
Reigns of *Henry* the Fourth, and
Lewis the Thirteenth, the present
King's Father and Grandfather, for
Suppressing Duels and Rencounters,
B and

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and other means were us'd by them for the same effect; but without Success. *Lewis* the 14th, the present King, at the entrance of his Reign, set forth a Declaration on the 1st of May 1644. which was confirm'd in Parliament the Ninth of *June* following, whereby reiterated Prohibitions were made to all Persons against Challenging each other, fighting Duels, Rencontres, or otherwise, and against contravening to the Edicts and Declarations of his Majesty, under the Pains provided by the Ordinances.

On the 13th of *March* 1646. he set forth another Declaration, Prohibiting Quarrels, Duels, Challenges, and Rencontres, this being a Confirmation and Augmentation of the Penalties contain'd in the Edicts.

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The Suppression of Duels. 3

Declarations and Decrees, formerly made on the said Subject, which Declaration was also Published in Parliament the 20th of *March* in the the same year.

In the year 1651. in the Month of *September*, upon the King's being declar'd Major, and he being well posselt of what importance it was to the State to have these *Duels* and *Rencontres* abolish't, he set forth a more ample and peremptory Edict against them, than any had been in the Reigns of his Father or Grandfather, it consisting of 24 Articles; which Edict was also confirm'd in Parliament, the King being present, in the same Month and Year, and he took a firm Resolution to have the Penalties therein contain'd effectually put in Execution against all such as should contravene.

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travene. I shall not give it you here by reason of a more Comprehensive Edict which you will find in the Sequel.

In the Month of May 1653. the King set forth another Declaration against *Duels*, it being an Enlargement and Explanation of some Points in the foregoing Edict; in the latter part of which it is said thus: And forasmuch as the Fifth Article concerning the Satisfaction which ought to be appointed by Our Cosins the *Marshals of France*, for Persons offended in Honour seems to be coucht in two general Terms, and that the express protestation made a long time before Our last Edict, and the Engagement in Writing of many Gentlemen of Quality of Our Kingdom of not receiving for the time to come

The Suppression of Duels. 5

come any Challenge, requires that there be a full and advantageous Provision for the Reparation of Offences, which may be made to their Reputation, and to the Reputation of those who shall abstain for the future from taking Satisfaction of themselves, and who shall have recourse to such as we have Establish'd for rendring them Justice, It is Our Will and Pleasure, That our Cosins the *Marshals of France* shall meet forthwith, to prepare a Rule as exact and clear as may be concerning the divers satisfactions and Reparations of Honour, that they shall judge ought to be ordain'd according to the divers degrees of Offences; which Rule shall be inviolably stood to for the future by all those who shall be employ'd in the Accomodations of

8 *The Suppression of Duels.*

Differences, which shall concern point of Honor, and the Reputation of Gentlemen. This Declaration was confirm'd in Parliament the 29th July in the same Year.

On the 30th of July 1657. there was a Decree of the Court of Parliament, importing a reiteration of Prohibitions of Duels, and enjoyn- ing Officers to be very attentive in discovering Crimes of Duels where- in they had been found Negligent.

Now many Gentlemen of Qua- lity in *France*, before the year 1651. (as it is before intimated) had made a publick Declaration and Solemn Protestation under their Hands, to refuse all kinds of Challenges, and never to fight a Duel on any ac- count whatsoever. It was worded in these Terms.

The Subsign'd, by the present
Writing,

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Writing, make a Publick Declaration and Solemn Protestation of refusing all kinds of Challenges, and of not fighting a Duel on any occasion whatsoever, and of rendering all kind of Testimony of the Detestation they have of Duels, as a thing wholly contrary to Reason, to the welfare and the Laws of the State, and inconsistent with Salvation and Christian Religion; tho without renouncing the Right of repelling by all lawful ways any Injuries that shall be offered them, according as their Profession and Birth shall oblige them to it, being also alway ready on their Parts to give with sincerity a right understanding to those who shall conceive themselves to have some cause of a resentment against them, and resolving not to give occasion to any Man.

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The Marshals of France being made acquainted and presented with this Declaration by the Gentlemen who Subsign'd it, and being desired their Sense of it, gave the following Judgment thereon.

Forasmuch as many Gentlemen, very well known as well by the Illustrious marks of their Houses, as by those they have given of their Courage, on divers Occasions, have represented to us, that they passionately wish to contribute all shall lye in them, for the execution of the King's Edicts against the pernicious use of Duels, introduc'd, and grown inveterate in France, to the great Prejudice of Christian Religion, and of the welfare of the State; that for this end they had Subsign'd a Writing containing a Publick Declaration and Solemn Protestation of

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of refusing all kinds of Challenges, and of never fighting a Duel on any Cause whatsoever, and of rendering all kind of Testimony of the Detestation they have of Duels, as a thing wholly contrary to Reason, to the welfare and Laws of the State, and inconsistent with Salvation, and the Christian Religion: tho without renouncing the Right of Repelling by all lawful ways, Injuries that shall be offered them, as much as their Profession and Birth obliges them to it: being also alway ready on their parts to give with sincerity a right understanding to those who shall conceive themselves to have some Cause of a Resentment against them, and resolving not to give Occasion to any Man: We, having seen and examin'd the said Writing,

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Writing, and after having heard
 them on this Matter, have approv'd
 and do approve of what is con-
 tain'd in the said Writing; declare
 it conformable to the King's Edicts
 and to the Laws of Honour, as
 is to those of the true Religion.
 And we exhort all the Gentle-
 men of this Kingdom to subscribe
 to it, and to observe it in all
 its Points; as also those who have
 Subsign'd to that Writing, and all
 those that will Subsign it, and re-
 medy the Disorder of Duels, to con-
 fer and advise together concerning
 the Satisfactions they shall conceive
 may reasonably pass in lieu of
 those which are hoped for by Du-
 els; to prepare Memoirs of them
 and put them forthwith into the
 Hands of our Secretary of the
 Marshalsey of *France*; to the end
 that

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That having Read and Examined
them, we may make a Report of
them to his Majesty to be confirm'd,
if he shall think fit, by a new Edict
or Declaration, to the Good of Re-
ligion, and the welfare of his State.
Paris the First of July 1651. Sign'd by
the Marshals of France, and beneath

QUILLET.

The Resolution of the Prelates on this Matter.

WEE, desiring to discharge
the Obligation which the
Holy Ghost has lay'd on us of
governing the Church of God, to
provide Charitably for the Necessi-
ties of our Neighbour, and to pro-
cure the Salvation of Souls as much
as it shall be possible for us : After
having

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having seen the Declaration made
by many Gentlemen of Refusing
all sorts of Challenges, and never
to fight a Duel on any Cause what-
soever; and afterward the Judg-
ment given by the *Marshals* of
France on the said Declaration, have
judg'd it proper to approve the
Generous and Christian Conduct of
both concerning the said Declara-
tion and Judgment, and to fulmi-
nate withal new Anathema's a-
gainst the Insolence and Barbarous-
ness of Duels; Nature has them in
Horror, Reason condemns them,
and the Civil and Ecclesiastical
Laws detest these black Furies, and
Heaven is arm'd with its most rigo-
rous Vengeance to Punish such
Monstrous Crimes.

They are these cruel Excesses
which bring at the same time a
Dishonour

The Suppression of Duels. 13

Dis honour on the Laws, a Re-
proach on Humane Nature, an In-
jury on Religion, a Shame on Chri-
stianity, and cause a weakning in
the State, the Scandal of the People,
the Anger of Heaven, and the Loss
of Souls.

Is it not to extinguish the Senti-
ments of Humanity, and to de-
vest of the Light of Reason for a
Man to go about to destroy his
Like, and to expose himself to the
danger of being lost, by giving
way to a brutish Passion, which
seems to imitate the fury of Ty-
rants; or to Establish a Point of Ima-
ginary Honour, which promotes a
bloody and cruel Doctrine of Man-
slaughter; which gives Rules for
Murder, and which disguises As-
sassination in a Method and Mea-
sure, to seduce very often the
most

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most dastardly Spirits, and the weakest Courages.

The Decree of Pope Steven Prohibits the ill Custom of proving a Man's Innocency by boyling Water, and by a burning hot Iron. And St. Thomas judges very perniciously, that at the same time he condemns Duels. In reallity, what colour is there for committing to the chance of Arms a Man's Reputation, his Life, his Eternity, since it happens even very often by the just Judgment of God, that the most skilful, and the least timorous, falls under the hand of the weakest.

Let Princes therefore and Magistrates arm their Authority with new Vigour to mark with Infamy these Gladiators, who seem in contempt of Christianity to go about

The Suppression of Duels. 25

to revive Paganism and Idolatry.
It may be said that we breathe yet
the Contagious Breath of those Un-
fortunate Ages, in which Men sa-
crificed to Idols the Blood and
Life of Mankind. O Princes! O
Judges! O Grandees of the Earth!
who are the Umpires of the For-
tune of Men, if by the Civil Laws
you ought to see that the Poor be
relieved with Food, which is neces-
sary for them; what account will
you have to give before God, if
you do not labour, as you may,
to dry up the Sources of Blood,
which in the Language of the
Scripture are those of all Crimes?

The use of Blood was expressly
forbidden among the *Hebrews*, for
two chief Reasons; First, to abo-
lish Idolatry; And Secondly, to
condemn Cruelty. God alone ought
to

16 *The Suppression of Duels.*

to be the Master of the Life of Men
and the Blood of Animals was re-
tain'd in the Sacrifices for an Ack-
nowledgment of the Sovereign
Dominion of God, and to redeem
the life of sinful Men by the effu-
sion of the Blood of the Offerings.
But in the Law of the Gospel, the
Prophet *Isaiah* foretold us, That
Fights, Wars, and Slaughter should
cease, in the Peace of the Church
and under the Empire of the *Messias*,
who is the true pacifick *Solomon*;
this Blood ought not to be
spilt but for the Glory of God, and
the Support of the Throne, for
increasing the Crowns of Religion,
and that of the State, for the Pro-
motion of Faith, and for the Inter-
ests of our lawful Monarch; this
Blood which the insolence of the
Duelists, and the silence of the
Judges

The Suppression of Duels. 817

Judges unworthily theds, requires
another Vengeance; which must
give a terror to those who have any
sense of the fear of God. The
Voice of the Blood which is spilt
on the Earth, carries its Cry even
to Heaven, and more yet the Voide
of the Blood of the Son of God,
which cries far beyond that of A-
bel; as St. Gregory explains it. *non*
h If then the Spectacle of a dying
God makes an impression on our
Hearts, and if the Image of his
cruel Martyrdom is not blotted out
of our Memories; let us forever
condemn Duels, having in horror
these detestable Practices, which
cause a precious Blood to be sacri-
ficed to Devils, that ought to be
manag'd for the Service of a God,
who through an excess of Love not
to be equal'd, was Prodigal of his

es ROITET

C

own

18 *The Suppression of Doubts*

own to extinguish our Crimes and Ingratitudes: and at the same time let us raise our hands to Heaven, to draw down the Blessings of God on this illustrious Nobility, which has so Christianly renounced those false Maxims, to embrace with perfect Religion, those of the Gospel: Assure your selves, Gentlemen, that the laudable Reputation which you have acquir'd, worthy of the Greatness of your Courages, shall lose nothing of its lustre by a Writing so generous, as that you have sign'd for renouncing Doubts. Your honour is in the hands of God, who will be a faithful Depository, since you are faithful to the Interests of his Glory. We hope that our Great King, whose admirable qualities have from his first Infancy fill'd all Men with Admiration

The Suppression of Duels. 19

ration, is now upon Consecrating the first years of his Majority, and giving a new lustre to his Crown by the Esteem which he shall make of your Vertues. We are assur'd that God will bless his Arms and Councils when he shall make use of such Persons as you in giving them honorable Employments; the Capacity of the Ministers of Kings is always great enough when Probity is found in them; the main Point in Councils, and the Privy Closet, is Fidelity; and those are always faithful to their Princes, who are faithful to God.

This is the Approbation which we are oblig'd to give to your Conduct: This is the Publick Testimony of the Esteem and Respect we have for the Judgment given by the Marshals of France. These

20 *The Suppression of Duels.*

are the Vows and Wishes which we
shall continue to offer on the Altars
to obtain an Immortal Glory for all
those who labour to turn aside the
Scourges of God, which threaten us
unless we powerfully labour to
abolish Crimes, and to hinder Duels.
Paris the 29th of Aug. 1651.

*J. F. Archbishop of Paris. J. F. P.
Coadjutor of Paris. H. de Savoy
Archbishop Duke of Rheins. F.
Bishop of Amiens, &c.*

*The Opinion of the Doctors of
Divinity of the Faculty of
Paris on the same Subject.*

THE Doctors Subsign'd are of
Opinion, That all those who
have recourse to the Sacrament

The Suppression of Duels. 21

of Repen-
tance, and are not, in re-
spect of Duels, in the Disposition
expressed in the Publick Declaration
and Protestation which many Gen-
tlemen have made of never fight-
ing a *Duel* on any Cause whatso-
ever, are incapable of the benefit
of Absolution, and of all the Sa-
craments of the Church; and as
for those who upon fighting a
Duel, dye on the spot tho the
Church through a very Charita-
ble Indulgence, permits them to
be Absolv'd of the Excommuni-
cation and Sins which they have
incurr'd, when they are sincerely
and truly Penitent; nevertheless
it deprives them of Church Burial,
and declares them Infamous and
Excommunicate, and gives its E-
ternal Curse on all those who concur
with them, or who give Council

22 *The Suppression of Duels.*

to receive Challenges, and even on those who are Spectators of Duels. Resolv'd on at Paris the 10th of Aug. 1651.

J. Messier. C. Henriot. J. Per
eyret. J. Charbon, &c.

The Gentlemen who had Sub-
sign'd to the forementioned Decla-
ration and Protestation against Du-
els, having given in their Thoughts
as above directed, concerning Satis-
factions; The Marshals of France
proceeded to an Ordinance con-
cerning the Reparations of Offens-
es betwixt Gentlemen, for the exe-
cution of the Edict against Duels.
Their Ordinance is as follows.

FOrasmuch as it has been in-
joyn'd us by an express Order
from

The Suppression of Duels 23

from the King, and particularly by the Declaration of his Majesty against Duels, Read, Publish'd, and Registred in the Parliament of Paris the 29th of July last past, to Meet together forthwith for preparing a Rule, the most exact and clear that might be, concerning the divers Satisfactions and Reparations of Honour, which we shall judge ought to be Ordin'd according to the severall degrees of Offences; and after such a manner, that the Punishment against the Aggressor, and the Satisfaction to the Party offended, be so great and so proportion'd to the Injury receiv'd, that no Complaint or new Quarrel can break forth afresh; the said Rule being to be inviolably follow'd and observ'd for the time to come by all those who shall be employ'd in the Accommodations of the Differences which shall concern Point of Honour,

24 The Suppression of Dialect

and the Reputation of Gentlemen: We after having seen and examin'd the Propositions of many Gentlemen of Quality of this Kingdom, who have had divers Conferences together on this Subject consequentialy to the Order which was given them by us on the First of July, 1651 and who presented us in our Meeting the said Propositions put in Writing, and sign'd by their Hands, have after mature Deliberation, concluded and resolv'd of the following Articles.

Firstly That in all the Occasions and Subjects which may cause Quarrels and Resentments, no Gentleman ought to esteem contrary to Honour whatsoever

may

The Suppression of Duels. 25

may give a full and sincere Explanation of the Truth.

II.

That among Gentlemen, many having already Protested solemnly and in writing to refuse all Sorts of Challenges, and not to fight a Duel on any Cause whatsoever: these are by so much the more oblig'd to give those clear Explanations, that without it they will formally act contrary to what they have Written, and shall consequently be more worthy Reprehension and Chastisement in the accommodations of the Quarrels which shall happen for want of a clear Understanding.

III.

III.

That if a Person pretending to be offended, has so little reason, as not to rest satisfy'd with a clear Understanding, which has been sincerely given him, and that he will oblige the Person by whom he conceives himself to have been offended, to fight him: he that has renounc'd Duels may answer him after this or the like manner: *That he much wonders, that knowing the last Edicts of the King, and particularly the Declaration of many Gentlemen, in which he has Publickly engag'd himself not to fight, he will not content himself with the clear understanding that he gives him: and that he does not consider that he neither can, nor ought to appoint or receive any Place for fighting, nor*

even

The Suppression of Duels. 27

even to signifie to him the Places where he might have a Rencontre, but that he shall change nothing in his usual way of living. And generally all other Gentlemen may answer, That if they are set upon they shall defend themselves, but that they do not think their Honour obliges them to go and fight in cold Blood, and so formally contravene to the Edicts of his Majesty, to the Laws of Religion, and to their Conscience.

IV.

When there has been some difference betwixt Gentlemen, whereof one Party has Promis'd and Sign'd not to fight, and the others not: these last shall be always reputed Aggressors, unless the contrary appears by very plain proofs.

V.

[28] *The Suppression of Duels.*

V.

And because the wayes of Fact might easily be prevented, if we, the Governors or the Lieutenant General of the Provinces, were not carefully advertis'd of all the Causes and Beginnings of Quarrels. We have consulted and resolv'd, conformably to the Power given us by the last Edict of his Majesty, Registred in the Parliament, the King there present, the 7th of September, 1651. to nominate and appoint alway in each Bailiwick and Seneschalty of this Kingdom, one or more Gentlemen of Quality, Age and Ability requisite, for taking Informations of the differences of Gentlemen, and to send them to us, or to the Governours and
V. Lieute-

The Suppression of Duels. 29

Lieutenants General of the Provinces, when they shall be there Resident; and to be generally done by the said Gentlemen deputed, what is prescribed by the second Article of the said Edict.

And we order, conformably to the same Edict, all our Provosts, Vice-Bailiffs, Vice-Seneschals, Lieutenants Criminal of the short Robe, and other Officers of the Marshalseys, to obey readily and faithfully the said Gentlemen deputed, for the Execution of their Orders.

VI.

And to the end we may yet more carefully be advertis'd of the differences of Gentlemen; we declare according to the Third Article of the same Edict: That all
Persons

20 *The Suppression of Duels.*

Persons who shall happen to be
tho by chance, at the places where
Offences shall be given, be it by an
injurious Report, Discourses, or
Words, be it by a failure of Pro-
mise, be it by giving the Lye, by
offering Threats, a box on the Ear,
a stroke with a Cudgel, or other
violations of Honour, of what na-
ture soever they are; shall for the
future be oblig'd to give us notice
of them, or to the Governors or
Lieutenants General of the Provin-
ces, or to the Gentlemen deputed;
under pain of being reputed Com-
plices in the said Offences, and to
be prosecuted as having tacitely
contributed to them; and that those
who shall have knowledge of Suits
in Law, which shall be upon the
point of being begun betwixt Gen-
tlemen for any Important concern,
shall

The Suppression of Duels. 31

shall also be oblig'd, according to the same Third Article of the said Edict to give us notice of it, or to the Governors, or Lieutenants General of the Provinces, or to the Gentlemen deputed in the Bailiwicks; to the end that a means may be us'd to hinder the Parties from passing the ways of ordinary Justice, to come to those of Fact, and to do themselves reason.

VII.

And because in all Offences that may be receiv'd, it is necessary to establish some general Rules for Satisfaction, which will sufficiently repair Honour as soon as they shall be receiv'd and practis'd, since it is but too manifest, that its Opinion which has establish'd for the greatest

32 *The Suppression of Duels.*

greatest part the Maxims of point
of Honour; and considering that
in Offences, we must mind, in the
first place, whether they have been
given without Cause, and if they
have not been repell'd by some
reparies or revenges of a more
outrageous Nature: We declare
that in those which have been so
offer'd, without Cause, and which
have not been return'd, if they con-
sist in injurious words, as of *Sot,*
Coward, Traitor, and the like, it may
be ordain'd for Punishment, that
the Offender shall be Imprisoned
for a Month; the time being not
to be diminish'd, through the Inte-
rest, or Request of any one what-
soever, nor even through the In-
dulgence of the Person offended:
and that after he shall come forth
of Prison, he shall declare to the
Person

The Suppression of Duels. 33

Person offended : That unmeetly and impertinently he has Offended him by Abusive Words, which he ownes to be false, and begs his Pardon for it.

VIII.

For giving the Lye, or using threats of a box on the Ear, or of a stroke with a Stick; there may be ordain'd two Months Imprisonment, the time not to be diminished, as before; and after the Offender is come forth of Prison, he shall ask Pardon of the offended, with words more yet satisfactory than the foremention'd, and which shall be particularly specified by the Judges of point of Honour.

D

IX

24 The Suppression of Duels

IX

For equal Offences of a box on the Ear, and the like; it shall be ordain'd for Punishment that the Offender shall be imprison'd for Six Months, the time not to be diminished, as before; unless the Offender shall desire that half the time for his Imprisonment be exchange'd into a Fine, which shall not be less than 1500 Livers, to be given to the nearest Hospital to the place of abode of the Offended, and which shall be paid before the said Offender comes forth of Prison. And even after he shall be come forth, he shall submit himself also to receive from the Hand of the Offended the like strokes to those which he gave, and shall declare

The Suppression of Duels. 35

declare in Words and Writing,
That he has brutishly struck him,
and begs him to Pardon and forgive
this Offence.

X.

For Strokes with a Cudgel, or
the like Abuses, the Offender shall
be Imprison'd a whole Year; and
the time not to be moderated, un-
less it be for Six Months, by paying
Three thousand Livers Fine, pay-
able and to be apply'd as above.
And after he is come forth of Pri-
son, he shall ask Pardon of the
Offended kneeling on the Ground;
shall submit himself in this state to
receive the like strokes; shall most
humbly thank him if he does not
give him them, as he might do.
And shall farther declare by Word

38 *The Suppression of Duels.*

and Writing, That he has brutishly offended him, that he begs of him to forget it, and that if he were in his place, he would be content with the same Satisfaction. And in all the offences of strokes with the Hand, or a Stick, or the like, beside the foresaid Punishments and Satisfactions, the offended may be oblig'd to chastise the offender with the like strokes he has receiv'd, even tho he should have the generosity of not being inclin'd to do it; and this only in case the offence be judg'd so barbarous by the Circumstances, that it deserves that the offended be reduc'd to this Necessity.

XI.

And at the time the Reconciliations are made in all the foresaid Cases,

Cases, the Judges of point of Honour may order what number they please of the Friends of the offended, to see the Satisfaction which shall be ordain'd, and render them more notorious.

XII.

For any Offences or Violations of Honour which shall be offer'd a Gentleman on the account of some civil Interest, or of some Action which shall already be begun before the ordinary Judges, we cannot in Offences so hapning be too severe in the Satisfactions. And those who shall regulate the like Differences, besides the Punishments specified above in each kind of offence, may farther order Banishment, for what time they think fit, from the

38 *The Suppression of Duels.*

places where the Offender makes his ordinary residence. And when it shall be manifest by notoriousness of the Fact, or other Proofs, that a Gentleman has possess himself of any thing by the Ways of Fact or by Surprise; no Agreement can be made, even concerning point of Honour, till the thing in Contest has been first put in the state it was before the Violence, or the Surprise.

XIII.

And because beside the above-mention'd Causes of Differences, Promises that are pretended to have been made and violated, produce infinite others: we declare, That a Gentleman who has gotten a Promise from another, concerning any thing

The Suppression of Duels. 39

thing whatsoever, cannot build thereon any thing for the future, nor complain that it has been violated, unless it has been given him in Writing, or in the Presence of one or more Gentlemen. And thus all Gentlemen shall be oblig'd for the future to take this Precaution, not only for obeying our Orders, but likewise for the Interest each man has to conserve the Friendship of him, who has given him his Word, and of not being declar'd Aggressor, as he shall be henceforward in all the Quarrels which shall happen after a Promise without Writing or Witnesses, and which he shall pretend has not been kept.

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XIV.

If a Promise given in Writing, or before other Gentlemen, be found violated, the Person interested shall be obliged to ask Justice of us, of the Governors or Lieutenants General of the Provinces, or of the Gentlemen deputed; in default of which he shall be reputed Aggressor in all the Quarrels which may happen consequentially to the said Promise violated: as also all the Witnesses of the said Promise violated, who have not given notice of it, shall be responsible for all the Disorders which may thence happen. And as to what regards the said failings of a Man's word, the Reparations and Satisfactions shall be ordered according

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According to the Importance of the Matter.

XV.

If by the relation of Persons present, or by other Proofs it appears that an Injury has been done with a premeditated design, in a frolick Humour, and with an Advantage: We declare, That according to the Laws of Honour, the Offended may prosecute the Aggressor and his Complices before the ordinary Judges, as if he had been assassinated; and this proceeding ought not to seem strange; because he that offends another on an Advantage, renders himself by this action unworthy to be treated as a Gentleman: Provided nevertheless, that the Person offended had not rather refer himself to our Judgment, or

to

42 *The Suppression of Duels.*

to that of other Judges of point of Honour for his Satisfaction, and for the Chastisement of the Aggressor; which ought to be much greater than all the preceding, that regard only those Offences which are offered in Quarrels that happen by Chance.

XVI.

In case a Gentleman refuses or defers without any lawful Cause, to obey our Orders, or those of the other Judges of point of Honour, as to render himself before us or them, when he has been summon'd by an act signified to him, or at his House, and also when he has not undergone the Pains ordain'd against him, he shall always be constrain'd to it, after a certain
time

The Suppression of Duels. 43

time prescrib'd him, by being kept under Guard in his House or Imprison'd, conformably to the Eighth Article of the said Edict, which shall be carefully executed by our Provosts, Vice-Bailiffs, Vice-Seneschals, Lieutenants Criminal of the short Robe, and other Lieutenants and Sergeants of the Marshalseas, under pain of Suspension of their Places, and Privation of their Salary; and the said Execution shall be perform'd at the Cost and Charges of the Party disobedient and refractory.

XVII.

And according to the same Eighth Article of the said Edict, if our Provosts, Vice-Bailiffs, Vice-Seneschals, Lieutenants Criminal
of

44 *The Suppression of Duels.*

of the short Robe, and other Officers of the Marshalseys cannot execute the said Imprisonments, they shall seize all the Revenues of the said disobedient Persons; shall give notice of the said seizures to the Solicitors General, or to their Substitutes, according to the last Declaration against Duels, registred in the Parliament of Paris the 29th of July last; the said Revenues to be apply'd, and to continue all the time of the Disobedience acquir'd to the Hospital of the Town where the Parliament shall be, under the Jurisdiction of which the Estates of the disobedient Persons are, conjointly with the Hospital of the Royal seat of Jurisdiction whence they also depend; to the end that interaiding each other in the Prosecution, the one may furnish the
Infor-

The Suppression of Debts. 45

Information and Proof, and the other the Justice and Authority. And in case there are precedent Debts, which hinder the receipt of the Revenue confiscated to the Profit of the said Hospitals, the Sum to which the said Revenue might amount, shall become a Mortgag'd Debt on all the Estate moveable and immoveable of the disobedient, to be paid and discharg'd in its order, according to the same Eighth Article of the said Edict.

XVIII.

If those to whom we and the other Judges of point of Honour have given Guards, shall make their Escape, the Reconciliation shall not be made till they have kept Prison during the time ordain'd.

XIX.

XIX.

And generally in all the other Differences of Offences, which have not been specified here above, and whereof the variety is infinite; as if they have been made with Cause, and if they have been repell'd with more hainous reparties: or if by outrageous words the Person offending has drawn on himself the Lye, or some stroke with the hand; and in a word, in all other occasions of Injuries insensibly aggravated: we remit it to the Judges of point of Honour to ordain such Punishments and Satisfactions as the Case and Circumstances shall require; exhorting them to have alway a particular Consideration to him who has been the Aggressor and

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and the first Cause of the Offence ;
and to send before us all those who
are desirous to represent to us their
Reasons, conformably to the se-
cond Article of the first Edict of
his Majesty, Registred, as is said,
in the Parliament the 7th of Sep-
tember, 1651. Paris the 22d of
Aug. 1653. Sign'd D'Estree, De
Grammont, La Motte, L'Hôpital,
Plessis Preslin, Villeroy, De Gran-
cey, D' Albert, De Clerembault ; And
beneath

QUILLET.



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*A Remonstrance of the Clergy of
France made to the King, the
Queen his Mother being pre-
sent, the 31. of Aug. 1653.
Concerning a new Edict a-
gainst Duels.*

*By the Reverend Father in God Mes-
sire George Daubusson, Arch-
bishop and Prince of Ambrun.*

*Accompanied with the Lord Cardinal
Mazarin, and the Lords Arch-bishops
and Bishops who were then at Paris.*

S I R,

OF all the Titles which belong
to your Majesty through the
Right of your Ancestors and the
Splendor of your Vertues, I find
none

none more Illustrious nor more glorious than that of the Sword of the Christian World, which was given *St. Louis* by an Emperor of the *Tartars*; because this Elogy, by some relation to the quality of *Lord of Hosts* which the Holy Scripture has given to God, declares your Majesty, not only the Protector of the Church, but likewise Sovereign Umpire of Combats. *Marcellus* was the first to whom was given the formidable Name of the Sword of the World, because he was an invincible Defender of the Liberty of the *Romans*; but with whom may it more justly agree, than with a most Christian King, who from his most tender Infancy has quencht the fire of Civil Wars, and who since his majority counts fewer years than Victories against the ancient Enemies

E mies

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mies of this Crown ? so the Zeal to Religion, & the instinct of a natural Valour have inspir'd your Majesty with the Christian and generous resolution of renewing your Solemn Edicts against fatal Combats, where the noblest Portion of your Subjects, abandoning, through a fatal blindness, the Salvation of their Souls, shew the marks of their weakness, when they think to signalize the Grandure of their Courage.

Sir, We thought that the care of the Salvation of Souls, wherein our Duty engages us, oblig'd our Order to give most humble thanks to your Majesty for a Law so Holy, tho indeed we could have wisht that the Articles of the Edict, which concern Burials and Ecclesiastical censures, had been coucht in terms which had not offended the Ecclesiastical

The Suppression of Duels. 51

fiastical Authority : and as we carry the Word of the Church, which declares alway the Word of God, we have thought it at the same time our indispensable Duty to joyn to our Thanksgivings some Important Instructions for the success of the Religious Intentions of your Majesty.

The *Romans* who establisht their Empire, by the violence of Arms, on the Ruins of the most Powerful Monarchies, were so strongly possess'd with the brutal fury of Duels, that according to the relation of one of their most famous Historians, in the beginning of their state, they own'd no other Judge, even for sharing their Estates, than the chance of Combats : so that the wisest among them propos'd insensibly Laws to the People, to the

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end, that without spilling Blood, actions might be determin'd by the sole ways of Justice ; we may say, that this furious Spirit had past to the *French* till the Age of St. Louis, who condemn'd the detestable abuse which was introduc'd, of permitting, on certain Occasions, set Combats. And our Kings, animated by so powerful an Example, have taken care from time to time to cause new Edicts to be Publisht against this wicked Attempt : But, alas ! the multitude of Remedies have exasperated the Distemper instead of appeasing it; the Laws have been violated with Iniquity , and the Prohibitions have serv'd but to add Insolence to the Crime.

Sir, certainly there was never so dangerous an Injustice , nor so strange an overthrow of good Maxims,

The Suppression of Duels. 53

ims, as when the *French*, through a phantastical Conceit, and a false Idea they conceiv'd of Vertue, join'd Glory to the fury of *Duels*: This barbarous Action has been Condemn'd by the whole Church: the Council of *Trent* strikes with Anathema those that are guilty of them, it separates them from the Society of the Faithful, to shew us that God has already cut them off in Heaven from the Company of the Blessed; and to extend their Penalty after Death, it deprives them of Church Burial: Your Majesty in your Throne of Justice, where you soveraignly decide the true Point of Honour, punishes with the last Punishment these infamous Gladiators; true Reason condemns them also of Weakness. In reality, whoever is not able to wait the repara-

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tion of an Injury by Publick Authority, shews his impotency in resisting the more severe assaults of Fortune; for being reduc'd to the extremity either of supporting constantly an offence, or to hazard his life to revenge it; he Cowardly chooses a less ill to avoid a greater, that is to say, the danger of Death to free himself from an imaginary Infamy which appears to him insupportable.

Nevertheless I am forc't to say with an extream grief, that all reasonings make no impression on the Mind in this occasion: that the rigour of the Edicts is contemptible; and that even the fulminations of the Church become of no force for breaking the hardness of Mens Hearts, while there is room for imagining that your Majesty gives
some

some part of your Esteem to these sanguinary Men : so true it is that the *French Nobility*, who are jealous of their Reputation above all the Nations of the Earth, look on your Majesty as the only Umpire, and the sole disposer of Glory. And therefore, Sir, if your Majesty will reform a Disorder which weakens your State, if you will manage the Blood of the Noblest of your Subjects for your Service in your Armies, if you will divert the Anger of God, from whom the Voice of Blood spilt by Murder continually calls for Vengeance, you must declare your Sentiments by marks of Infamy on the Guilty, your private Discourses must accord with your Edicts, you must speak in your Privy Closet, as on the Tribunals of Justice, and that being persuaded

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there is Cowardice in Duels, it may imprint so just an Opinion in the Spirits of your Nobility.

Solid Honour is inseparably joyn'd to Duty ; it's as a ray which necessarily derives it self from the light ; it's a Flower which cannot be gather'd but from the stalk of Vertue : and as Kings give proofs of their Courage, when according to your Majestie's Example, they expose their lives in the Head of their Armies for the good of their State ; so Subjects give a Testimony of their Valour when they expose their lives for the Service of their Kings. The most famous Duellists have never been our most illustrious Captains, and those who have best succeeded in these unjust Combats, are not the Men who have defeated our Enemies in Battles ;

Anger

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Anger or Fury have much a greater part in those brutal Actions than true valour. It is Passion which counsels them, it's Chance or Skill which brings them off, it's Custom which approves them, and finally it's the Demon of the Age which Crowns them. I add that your Majesty is very greatly interested in so Noble a Sentiment; for if Honour were included in Duels, it would follow that your Majesty, who disputes already in your first Exploits the prize of Military Virtue with the greatest Captains, would find your self depriv'd of an occasion of Glory, as not being to enter this List of single Combats; much more through the Default of an Adversary of your Strength, than by the Rank of your Birth, since our Age produces not *Alexanders*
nor

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nor *Cæsars* to enter the Field with you.

I call here before the Throne of your Majesty that illustrious Body of Gentlemen, of the greatest Houses of the Kingdom, who after having given signal proofs of their Courage on divers Occasions for your Service, have generously renounc'd by a solemn Writing the illusion of the evil Spirit, to keep the Obligations of their Baptism: Shall it be said that they wax pale at the first aspect of Death? they look it in the face daily very near, under a more horrible aspect, in the midst of Armies. Shall it be said that they dread the Efforts of their Enemies? they are not capable of Fear, according to the Maxims of the Gospel; but for your Anger, and that of God, who can deliver
Body

Body and Soul to eternal Punishments. Shall it be said that they are toucht with a Passion of less Zeal for your Service? on the contrary, their Fidelity is supported on a Foundation not to be shaken, since they are tied to their Duty toward your Majesty by the same Principle which unites them with God.

I should prevaricate in this cause, if I did not most humbly supply your Majesty to make a serious reflexion on the Miracle which God began to operate in your Reign by the holy Conspiracy of these Christian Heroes; but I should be much more guilty to retain Truth a Captive in Injustice, if I should dissemble to you that all the gifts of God turn alway to our Salvation or to our Ruin: Sir, Permit me to say with the liberty which my Function

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ction gives me, that your Majesty cannot receive with indifference the means which God presents you for stopping the rage of Duels; for as the chief Cause of this blindness depends on the esteem of the Nobility, who have no more certain rule in their actions, than the precious Judgment of your Majesty, it follows that as you may quell this cruel Disorder by the marks of your contempt and aversion, you may also foment it by the contrary Sentiments; and thus by a Misfortune which we will believe impossible, you would become in some sort a Complice of the Crime of particular Men.

Sir, We do not beg of your Majesty to apply violent Remedies, to impose new Punishments, to render Houses desolate, or to cut off
Heads

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Heads (tho all these Chastisements are much beneath that fury) we bear in mind the mildness of *Jesus Christ*, who obliges us by his Example to seek the Salvation of Sinners by the Principle of Charity, and never by that of Vengeance. The Church is a good Mother, which labours for the Conversion of her Children, and she never solicites the loss, she asks only of your Majesty by my mouth, that you cut off the essential Cause of the Evil; that you destroy a contagious Opinion which Poisons Spirits; that you highly discredit Duels; that you load them with Infamy; that you banish from your Presence the guilty; that you deprive them of your Favours; that you keep the same Language in your Discourses as in your Edicts; and

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and that finally you declare on all occasions that as a Duel is an action full of rage, which has not the Character of true Valour, so it does not merit but the effects of your Indignation.

Sir, we cannot doubt but your Majesty will Employ your Authority and most urgent Cares for repressing this unbridled liberty, and for advancing the Prosperity of this state, while we see the best and greatest Queen of the World seated near your Majesty in your Councils: it is she who has guided the Vessel of the State in the midst of the Tempest, fortified by the wise Councils of this great Minister, whose Spirit has alway presided o're our Affairs, and who in all our Agitations has thought much less on his own angers, than on those of the pub-

The Suppression of Duels. 63

publick Fortune. It is she who has merited the Honours which the Romans render'd formerly to those who had preserv'd the Empire, since that in deplorable times, the imagination of which strikes a terror, she has maintain'd the Crown on the Head of your Majesty. Finally, it is she whom God has given you as the most precious Pledge of his Love, his Protection being not to be shewn more visibly than by preserving to you a Mother full of Tenderneſs for your Person, of Zeal for your State, and of Experience for your Affairs. Sir, Some of the Kings of *Judah* undertook the Destruction of Idols; but through Humane Considerations they in some sort tolerated the Worship. Whence it is that the Holy Scripture, which praises *Joas* as a Religious

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gious Prince, presently fades his Elogy by this bloody Reproach: and nevertheless says it, he fell into the Errour of his Predecessors; for he did not subvert the Altars which were rais'd on the height of Mountains. Ah! Sir, suffer not a spot like that of the Kings of Judah, to darken the Splendor of your Name, break all to pieces the Idol of false Honour, to which an infinite number of Souls have been sacrificed in the Ages past; compleat the Enterprize which your Predecessors have only dar'd to begin, and which they left imperfect, haply through the troublesom Con-junctures of their Reigns; it seems also that God has reserv'd the Glory to your Majesty by the advantages which he has rais'd for its accomplishment. Give Protection
to

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to this generous Nobility, who offer their Assistance for the Execution of so Christian a Design. Confirm the Authority of your Laws, by the respectful Subscription of all the Great Persons of your Kingdom, of all the Officers of your House, and of all those generally who have the Honour of approaching your august Person. Declare Solemnly and as a King, and as a *Brave*, concerning the Point of true Honour, and finally for an Accomplishment of a Reputation as Clear as Great, put a stop to this Criminal proof of an Artificial Courage. We assure also your Majesty, as the Depositories of the Divine Promises, that God by his more particular Favours will add to the Crown which shines on your Head a

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new

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new Glory, which is wish'd to
your Majesty with the most Ar-
dent Vows of

*Your most Humble, most Obedient, and
most Faithful Subjects and Servants.*

*A Circulatory Letter of the
Gentlemen Governors of the
Hospital of Paris to the Go-
vernors of the other Hospi-
tals of France.*

GENTLEMEN, it is now a long
time since Duels have mo-
lested France, and that each Man
has wish'd a remedy powerful e-
nough to put a stop to this Disorder
so common at present: There is
not need of many Reasons for con-
ceiving

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ceiving a horrour against them ;
tho we had not the Zeal of Chri-
stianity, it would be enough for
us to have some Sentiments of Hu-
manity, and not to be absolute
Barbarians, to use all our Efforts,
that Persons who are well in Health
should no longer cut their own
Throats, and that those who have
no Quarrel, should no longer Sa-
crifice themselves to pay the office
of a Friend in quality of Seconds.
It's only in *France* that Men revenge
themselves by the way of Duel :
all the other Nations of the World,
either the most Generous, the most
Politick, or the most Brutish, abso-
lutely condemn this Action which
is a *mania* of the *French*. If a Per-
son has receiv'd an Injury, why
shall he farther prostitute his life
in order to a Satisfaction ? does not

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the Person offended fight with Arms equal with the offender? and does he not put himself in danger of being Wounded or Kill'd, or to beg his Life? Is it not to expose a mans self to a greater Injury, instead of repairing the first? We have seen within this Age Edicts, Declarations, and Decrees against Duels; they have been put in the number of the Crimes of High Treason; they have been Judg'd so Horrid and Detestable, that the Death of the Duelists does not exempt them from Penalties, nor from Shame: to Condemn them after a more remarkable manner, two Edicts have been publisht on two glorious Days; the one, at the coming of the late King of happy Memory, to the Crown, An. 1610. and the other at the Ma-
jority

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majority of our present King happily reigning, *An. 1651.* All the Prohibitions and Penalties have been hitherto to no purpose; and it seems that since the Prohibitions have been most Express, and the Penalties most severe, Duels are become more frequent, and the way of Fighting more Cruel; we have understood that since some time, there have been some which could not proceed but from Fury and Despair. The King by his last Declarations has put in Practice all the Precautions possible for stopping this impetuous Torrent of Duels; and because it is true that many Persons cannot come to a resolution of Prosecuting by the way of Justice, the reparation of an Injury, and that it is not reasonable that Injuries should remain unpunisht,

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Expedients have been provided for satisfying each Man by ways which consist with Honour, without Penalty and Danger. The *Marshals* of *France*, or the Lords who shall be deputed in the Provinces, shall give order to have Justice done, and that it shall be punctual, without a Man's being oblig'd to any formality. This way is good and innocent, whereas that which a Man takes of himself is hurtful and Criminal; since there are good ways for revenging Injuries, those who will revenge themselves are by so much the less excusable: It is nevertheless difficult to stop this impetuosity of the Passion of Duels, which is unfortunately in use among the *French*; wherefore there is need of something above all the other Remedies. The King of his

his own inclination, as well as by his Edicts, the Lords Spiritual in their General Assembly, the Lords Marshals of *France* by particular Articles, and a great many Lords and Gentlemen by their Submissions, and by their Writings under their Hands concur to one and the same end of no longer sparing any thing for hindring Duels; the Magistrates also contribute their Zeal, and use with Severity the Power of their Justice against the Guilty. It may possibly be thought strange that the Governors of the Hospitals should take part, and should concern themselves in this Occasion, since the Cognizance of Duels is very remote from their Functions: It may be said that if Duels trouble them because they offend Religion and Charity, they may de-

test and bewail them, but they can do no more; that they ought not to take Cognizance of them, that they ought not even to accuse nor inform of the Crimes: our Intention is not to meddle with any thing above our Function: in truth we had had recourse but to Sighs and Tears, in reference to Duels, unless two things engag'd us to Interest our selves in them; the one because the Poor have the Third part of the Goods confiscated on this occasion, and that we cannot in Conscience neglect their Interest; this reason alone would not invite us but after the Confiscations Judg'd, and not before; but the other is, that by taking at present an exact Cognizance of Duels, it is not so much an Enterprise in us as an Act of Obedience,

we

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we obey the King's Intentions, and the Orders of the Powers of the Kingdom. This Service is requir'd of us for the Publick, we are oblig'd to pay it to avoid so great an evil as Duels; what we have Resolv'd, and have begun to Execute is approv'd, it is judg'd that an entire Correspondence betwixt all the Governors of all the Hospitals of *France* hath a great Effect; and we are assur'd that as soon as there shall be seen an execution of our Design, there will presently be reviv'd the other Overtures which seem for some time to have fallen asleep, and the Cares will be redoubled for making the Protestations which have been made to succeed. It is to obey the Orders which we have receiv'd, that we inform our selves of the Duels, which

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which have been committed, and of the Rencounters that have happen'd since the Month of September, 1651. We have nominated Five among us as particular Commissioners on what concerns Duels. It's to the end that they may proceed in it with a more singular Affection, and that the ordinary Affairs of the Body of the Governors be not interrupted; our Deputies meet every *Tuesday* of each Week, they receive there Informations, they Propose there what is to be Propos'd, they deliberate there, and conclude of the things that present themselves. They have a particular Secretary, and a Register of things Decreed, which is distinct from that of our Body; but when there are Important or extraordinary Occasions, the Report is made in full Assembly; &

in

The Suppression of Duels. 75

in this Case the things concluded are set down in the Common Register, whereof nevertheless mention is made in that of Duels. We send you, Gentlemen, some extracts of what we have already resolv'd; the intent of our Court is, that to make a Discovery of the Crime with more Ease, and to procure some Good to the Poor by the Thirds which is appointed for them, there shall be some part of the Thirds given to those who shall give notice of Duels committed, obliging us to furnish the Proofs by them, if the Conviction cannot be had otherways, and to give by them lights of the Estates, if the knowledge cannot otherwise be had: this shall be done with regard to Circumstances of Things and Persons. It is sometimes good

to

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to interest some one with the Poor; and in all this Conduct we ought to regard but God and the Poor; these are the sole Motives which ought to animate us, and the sole Thoughts which we ought to have; we shall so do that nothing may be imputed, nor reproacht to the Administrators of the Hospital of *Paris*, and even to secure our selves as much as we may, both from a Default and Negligence. We Promise our selves, Gentlemen, as much or more on your part, since we are assur'd of the Piety of your employ, whence we easily presume and as it were necessarily, the sincerity of your Intentions, and all that may depend of it. If the first Letter which we writ to you has not had all the Success that was expected, we are chiefly the Cause, either

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ther for not having sufficiently explain'd our selves, or for not having opened enough the Motives, the Consequences and the Effects of the Design, which ought to be common betwixt us; we do it at present, and we pray you, Gentlemen, to inform us of all the Duels which have been committed in your Town and the Neighborhood since the Month of September, 1651. and to continue your Informations for the future, if any shall be committed henceforward, & to set down the Persons, the Conditions and the Estates of those who have Fought, of those who have sent or given Challenges, of their Seconds, or the greatest number of them, of the Dead and Wounded, what are their Parents and Allies, their Credit or their Support

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Support in the Province; we do not ask only a Correspondence of the Gentlemen Governours of the Hospitals, who are within the reach of the Parliament of *Paris*, we ask it also of the Gentlemen Governours of the Hospitals of the Towns where there is a Parliament, and we supply them to write to the Gentlemen Governours of the Hospitals which are within the Limits of their Parliament, to the end there may be a like Correspondence betwixt them, and that by thus doing it be universal throughout the Kingdom. We may by this means root out, or cause to be Punish'd, a Crime which offends God and the King, the Publick and our Neighbour, and which makes us despair of the Salvation, as well as of the Life of those who commit

it.

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it. We may conclude of having for Obstacles Persons of all Qualities, of all Humours, and of all Ages; because there is now almost no one, either of the Peasants or Nobility, of the Souldiery, and even of Serving-men, as well as of Gentlemen, and of all others who make Profession of Arms, but will revenge his Quarrel, or give a Testimony of his Valour by a Duel: We must try to undeceive this false Generosity, to overcome all the Difficulties, to be obstinately resolv'd in so Pious and so Holy an Enterprize, and to stand firm against all sorts of Prayers and Considerations: we Promise you, Gentlemen our Cares and Pains, and to solicit for all the King, the Court, and all those who have a lawful Authority to Command, Prohibit, and Punish:

we

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we Promise you an Assiduoufness without Remission, an inflexible Vigour, and that entire Correspondence, which we ask also of you; for the better upholding us in it, it is good for us all to be known: we entreat you, Gentlemen, that when you shall do us the Honour to write to us, you will signifie to us by your Letters, or by a particular Memoir, the Names, Qualities, and the Number of your Body, whether your Government be perpetual, or for a time; When, how, and by whom the Changes are made in it; If the Church, the Magistrates, or other Officers have part in it, either of Necessity or Choice; Whether there are Bodies or Commonalties under which they are; Or whether there be an entire Liberty of choosing all sorts
of

The Suppression of Duels. 81

of Persons, and of all sorts of Professions; to send us word also what Order you will keep in this Matter, and to whom of your Company we must address us, or whether we shall continue to write to your entire Body. We would not draw any thing from you, but what you may know of us. After having given you to understand what we have resolv'd, and begun to execute, whereof we send you some Extracts, we Inform you of our Government: it is at present compos'd of 16 Persons: The Lord first President of the Parliament is alway the Chief: We have alway had the happiness to have a Head greatly affected to the Body of Governours. The Lord first President *de Bellieure*, lately deceas'd, whom no one can enough lament, nor

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praise,

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praise, has given very powerful Testimonies by his Presence with the Body, by his Councils at home, and by his Reputation on all Occasions; he confirm'd them the day before his Decease, by the rich Present he made to the Poor of the Hospital, of the precious Furniture of his Chamber: God having taken him from us, we hope in his Place a worthy Successor. We have ordinarily with the Lord first President of the Parliament, the Lords first Presidents of the Chamber of Accounts, and of the Court of Aids. There are beside the Lords of the Sovereign Companies in the number of the others, which are nominated by the Company, according as there is a vacant place by Death. We are all Sworn in the great Chamber; and tho our Employ
be

be during life, it may be said with truth, that each man is very zealous of employing there all his Time and his Care. We send you the List of those who compose the Body of Judicature. We have a Receiver and a Register. The usual great number of the Diseas'd, of Persons, and of things necessary for the Subsistence and Maintenance of the Hospital of Paris, obliges us to have a great many Officers and Domesticks. It is true, the Revenue is considerable; but we owe it to the particular Blessing of Heaven, that tho the Disbursements exceed the Revenue above a Hundred thousand Livers each year, which is a Truth not known to every one, but very easie to justify, the House nevertheless subsists; we Daily acknowledge sorts of Mira-

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cles both in its Government, and in extraordinary Favours. Behold, Gentlemen, the account we give you, both very punctual and very sincere; we hope from you that you will give us a light of your Government, as true and faithful. We beg the Grace that we may have all a Resolution and Strength in an occasion so laudable, as that of hindring Duels, whereby we may Serve God and the King, the Publick and our Neighbour. We should serve at the same time those who would destroy themselves, having an Intention to Fight: We pray them to reflect on themselves, and not to put themselves in a condition that we may have a right to ask for the Poor the Possession of their Estates: We pray them to consider how favourable the Poor are,
and

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and that they shall be well grounded to make this demand of their Estates on the account of the King's Declaration: And if they are not concern'd for being Indebted to God, to the King, and to the Publick, let them be concern'd at least, because they are indebted to their Persons, to their Honour, and to their Salvation, to their Wives, if they are Married; to their Children, if they are Fathers, and to their House, if they are generous and reasonable: Let them suffer themselves to be convinc'd by a Truth which seems to be out of doubt, that it is glorious to serve his Prince in the Army; but that it is shameful to perish by single Combats, as Duels are. If a Man will expose himself to die with his Arms in his hand, it ought to be for the Service

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of the King and Kingdom, and not for a Quarrel or for a Passion. What Mischiet, and what Horrour for a Man to render himself in a moment Unhappy and Miserable! When there is question of the least Important Affair in a Family, where there may be a concern of Fortune, Relations are gathered together, things are propos'd and deliberated of. When there is a question of Health, as of the least Indisposition of Body, recourse is made to the advice of Physicians, and Persons apply themselves to the search of all Remedies for getting relief. When there is question of a Point of Conscience, Men apply themselves to their Directors: And in this Occasion where the whole loss of Fortune, Life, and Salvation is concern'd, all is left to hazard without

out deliberating; all is left at random without making any Proposition, and Men withdraw themselves privately from all the World, lest they be diverted from losing in an instant all that may lose forever a Man and a Christian. Represent to your selves, Gentlemen, a Man in a state of Fighting, in which state he is in the Action of a Duel, and his state after the Duel; this Courage in which he so much glories, is but the appearance of a Generosity, and the true effect of a Criminal Cowardice, as not being able to suffer a Contempt, an Injury, or a Word; and refusing to use the ways which the King prescribes for a Reparation. He causes a Challenge to be given, he goes to the place appointed; he that receives the Challenge goes there

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also, both contemn their Lives and the King's Edicts; the one because he believes himself offended, and the other because he imagines his Honour is concerned not to refuse a Challenge. Nay, there is sometimes so much Imprudence in it, that Men prostitute themselves without there being any Injury, or ill design in Word or Deed: and mean while he that thinks himself offended, forgets all, not so much for drawing thence a Satisfaction, which would still be a thing unjust, as for running upon Danger, which is the last of all Extremities: and in which he engages his Friend, who was not concern'd, which is the chief of all Follies. They will all do an action of Prudence and Secresie by withdrawing themselves privily from all the World
to

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to Fight, that they may neither have Relief nor Witnesses: So that if the act of Duelling be glorious, there is no Man who can give a faithful Testimony of it; and they take no Witnesses, because, it is a shame to fight. It is not enough to commit a shameful Action, they are beside depriv'd of all kinds of Assistances at a time in which there may be most need. As they abandon God, their Family, and Themselves, they will be abandon'd by all Men. If they divest themselves of their Cloths, it's a sign that they depose all Sense; and the Shift which is kept on is the symbol of the foolish Vanity which is reserv'd, and which is not depos'd by them but at Death. If there be some other Passion, it's only that of Perishing: for whatsoever happens

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pens of it, it's alway to perish. The Preparatives for this Action are but Instruments for perishing: There are carried there but Swords, Daggers, Knives, and of late Pistols, or other Fire-Arms. Is it not to perish to be reduc't to beg Life, when you would take it away? If a Man has the advantage of the Field by killing his Man, he is constrain'd to fly, he must quit his House, his Family, his Countrey, and his Estate, to save himself. It is not difficult to imagine the Disquiet, Remorses, Grievs, Troubles, and Sufferings of a Fugitive. Now all hopes must be lost of obtaining favour, or Letters in the Case of Duels, for any Persons whatsoever. A Man must no longer take a resolution of Fighting, but he must make a reflexion on the Necessity
of

The Suppression of Duels. 91

of Perishing. It may be said of Perishing, since that for a moment of Revenge, there remains but a continual Affliction, and without hope for the rest of the life. If a Man dies in the Field, is it not to perish more, since that a man cannot perish more than by Death; and since that it is not Dying as a Man, nor as a Christian. It is not Dying as a Man to die a violent Death, procur'd by a Man's self, to die Despairing, to die Overthrown or Destroy'd by his Enemy, lying along on the Dust, on the Grass, or on the Dunghil; to bite the Earth and all that is in his way, to be more concern'd at his Impotency of executing his Passion, than of thinking of what ought more nearly to touch him, and to vomit forth his Blood and Soul at the same
same

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same time that he vomits forth his Anger and his Rage. It is not to die as a Christian, not to lament his Sins, and not to be Penitent before he dies. Alas ! how far is a Man remote from that state, when he sets upon all things against the Commandments of God, and against the Prohibitions of his Prince. Dying in Despair a Man dies in a Crime, and it's a double Crime for a Man to die in a Design of Revenge. The gaping Wounds are not Mouths for Prayer, nor for asking Mercy ; but only Mouths of Blasphemies, & breaches for Death. As we make a Profession of Christianity, can we think without horror what Eternity this moment produces ? the Carcass is left on the Earth, and if it be taken up, it's only by the Enemy to hide it, or
by

by a Servant, or by the hand of Justice : Justice must be deceiv'd, that the Body may not receive a new Ignominy after Death ; the Church must be deceiv'd , that it may be Buried in Holy Ground ; the Publick must be deceiv'd, if the Possession of his Estate may be preserv'd to his Children , or Relations ; finally , the Judges and Witnesses must be deceiv'd, that the Memory of the defunct be not Condemn'd. But if the Crime be too well known , and the Confiscation be inevitable, Friends must be sought to for obtaining of the King the Confiscation, and the Possession of the Estates of the Living and of the Dead, without Gift, Will, or any title of Succession, and without having any obligation either to the Liberality of those that possess them,

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them, or to the Benefit of the Law; but there must be no longer hope of this last Comfort, which remain'd to Relations: The third of the Estates of those who have fought a Duel, belongs to the Governors of the Hospitals, and it cannot be toucht: A third belongs to the Informers, which it will be endeavour'd that they shall keep: As to the other Third, it is appointed for the Charge, which will in a manner alway consume it, or at least for the greatest part: so that these are Losses without recovery, which each Man ought to apprehend, tho the other Punishments were not to be fear'd. Excuse us, Gentlemen, for that in a Letter we fully point forth to you Duels and their Consequences, tho this passes the bounds of a Letter; and

and it's but a weak and imperfect draught of a Publick Truth. Possibly this Enterprize may not be wholly useless : It is not enough that a Crime which we have to oppose be known to us, all the Circumstances of it must be represented, to fortifie us in our Design ; we shall make greater Efforts to procure a greater Good, when we shall have present in our thoughts the excess of the Evil which we will hinder. Haply also these Letters may fall into the hands of Persons, who may be in a disposition to do it, and who will make a reflexion on it, before they will commit it ; they will think that if they fall into this Misfortune, they shall have in a manner as many Parties or Informers against them, as there are

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are Governours of Hospitals in France, who being united in Innocence, Reason, and Justice, will be much more powerful than a particular Person, or than all the Relations and Friends of a guilty Person. Think of it well, Gentlemen, and let us all think of it. Let us consider that it is to please God, the King, and the Publick; that we shall not do a thing as not appertaining to our Functions by hindring a Disorder, which makes many Widows and many Orphans. We may contribute to the preserving of a Husband to a Wife, of a Father to Children, of Children to their Father, of a Relation to his Relation, of a Friend to his Friend: We may bring it to pass that young Gentleman and young Lords may give to the Exercises of

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of Vertue, or at least to vertuous Companies; what they employ in the Maintenance of Gladiators, and in dangerous Sollicitations. We shall participate in the Good which the State, and particular Persons will receive by it. We may by this means merit in this World, and receive in the other a Recompence. We are all convinc'd of the Disorder and of the Good: We humbly pray you, Gentlemen, to have the same Sentiments as those, who are,

Gentlemen,

Your most humble and most affectionate

Servants and Brethren,

From the Hospital of *Paris*,
the— of *Septemb.* 1657.

*The Governors of the Hospital
of Paris.*

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An Ediēt of the King , containing a General Regulation concerning Duels, made at St. Germain en Lay in the Month of Aug. 1679. Registered in Parliament the First day of September of the same Year.

Louis by the Grace of God King of France and Navarre : To all the present and to come, Greeting: As we acknowledge that one of the greatest Favours which we have receiv'd from God, in the Government and Encouragement of our State, consists in the firmness which he has been pleas'd to give us for maintaing the Prohibitions

tions of Duels and single Combats, and severely Punish those who have contraven'd to a Law so Just and so Necessary for the Preservation of our Nobility; we are throughly resolv'd to cultivate with Care so particular a Favour, which gives us ground to hope that we may be able to arrive, during our Reign, to the Abolishment of this Crime, after having been attempted in vain by the Kings, our Predecessors. For this Effect, we have apply'd our selves anew to examine well all the Edicts and Ordinances made against Duels, and all that has been done consequentially to them, to which we have judg'd it necessary to add divers Articles. For these Causes, and other good and great Considerations moving us thereunto, with the Advice of

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our

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our Privy-Council, and through our certain Knowledge, full Power and Royal Authority, after having examin'd in our said Council what our most Dear and Well-beloved Cousins, the *Marshals of France*, who have met together oftentimes on this subject, have propos'd to us: We, by renewing the Prohibitions made by our Edicts and Ordinances, and those of the Kings, our Predecessors, and by adding what we have judg'd necessary, have said, declar'd, concluded and ordain'd, and by our present Edict, which shall be perpetual and irrevocable, we say, declare, conclude and ordain, it is our Will and Pleasure,

I.

First , We exhort all our Subjects, and enjoyn them to live for the future together in that Peace, Union and Concord, which is necessary for their Preservation , and for that of their Families, and the State, under Pain of incurring our Indignation , and our exemplary Chastisement : We enjoyn them also to give the respect, becoming each one according to his Quality, Rank, and Dignity , and to use mutually one with another all that shall lie in them for preventing all Differences , Debates and Quarrels , especially those which may be followed by ways of Fact , to give each other sincerely and *bona fide* , all the right understanding

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necessary, upon the Complaints and Dissatisfactions which may happen betwixt them; to hinder coming to Action in any way whatsoever; declaring, That we shall repute this Proceeding for an Effect of the Obedience which is due to us, and which we hold to be most conformable to the Maxims of true Honour, as well as to those of Christianity, no Person being able to dispense himself from this mutual Charity without Action, contrary to the Commandments of God as well as ours.

II.

And forasmuch as there is nothing so laudable, nor which gains more the Affections of the Publick and of private Persons, than to
stop

stop the course of Duels in their
course, We enjoyn our most dear and
well-beloved Cousins, the *Marshals*
of *France*, whether they are atten-
ding on us, or in our Provinces,
and the Governors general of our
Provinces, and in their absence
the Lieutenants General in the
same, to employ themselves very
diligently, and with all readiness,
in ending all the Differences which
may happen betwixt our Subjects,
by the Ways, and as they are Im-
power'd by the Edicts and Ordi-
nances of the Kings, our Predeces-
sors. And moreover, we Impower
our said Cousins to appoint in each
of the Bailiwicks or Seneschalties of
our Kingdom, one or more Gen-
tlemen, according to their extent,
who may be of Quality, Age and
Capacity requisite, for receiving In-

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formations of Differences which may happen betwixt Gentlemen, Souldiers, and others of our Subjects, to send them to our said Cousins, the *Marshals of France*, or to the Eldest of them, or to the Governors General of our Provinces, and our Lieutenants General of the same, when they shall be there present; and we Impower the said Gentlemen, who shall be so deputed, to cause to be brought before themselves, in the absence of the Governors, and our said Lieutenants General, all those who shall have any Difference, to bring them to an Agreement, or to send them before our said Cousins, the *Marshals of France*, in case that either of the Parties finds himself grieved by the Agreement propos'd by the said Gentlemen, or will not submit

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mit himself to their Judgments. And when the said Governors General of our Provinces, and our Lieutenants General of the same, shall be in the Provinces, in case the Quarrels which shall happen, shall require a speedy Remedy for hindring what may follow, and that the Governors are absent from the place where the Difference shall happen; it is our Will that the Gentlemen deputed, take care in it at the very instant, and cause to be executed what is contain'd in the Articles of the present Edict, whereof they shall give Information at the Instant to the said Governors General of our Provinces; or in their absence to the Lieutenants General in them, to labour incessantly for an Accommodation: And for this Effect, we most expressly

pressly charge all Provost Marshals, under-Bailiffs, under-Stewards, their Lieutenants, Exempts, Clerks and Officers, faithfully and readily to obey, under pain of Sequestration of their Offices, and deprivation of their Wages, the said Gentlemen deputed for the taking Cognizance of the said Differences ; whether those who quarrel be to be summoned, made Prisoners, their Goods seized and estreated, or any other necessary Acts be to be done for hindering the ways of Fact, and executing the Orders of the said Gentlemen so committed, and all at the cost and charges of the Parties.

III.

Furthermore We declare, That all who shall be present, or shall
meet,

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meet, though accidentally, in the Places where Offences against Honour shall be committed, whereby Reports or injurious Discourses, by breach of Promise, or Word past, by giving the Lye, Blows or other Outrages, of what Nature so ever they be, shall be obliged for the future, to give notice of the same to our Cousins, the Marshals of France, or the said Governors general of our Provinces, and our Lieutenant Generals in the same, or the Gentlemen deputed by our said Cousins, under pain of being reputed Complices in the said Offences, and of being prosecuted, as having tacitely contributed thereunto, for not having endeavoured to prevent the bad Consequences of the same. It is in like manner Our Will and Pleasure, That they
who

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who shall be acquainted with any beginning of Quarrels and Animosities, occasioned by Sutes, that are like to be intended betwixt Gentlemen, for any important interest, be obliged for the future to give notice thereof to our said Cousins, the Marshals of *France*, or the Governors general of our said Provinces, and the Lieutenant generals of the same; or in their absence, to the Gentlemen deputed in the Bailiwicks, to the end they may with all their Power, hinder the Parties from leaving the ordinary course of civil Justice, and coming to the ways of Fact. And that we may be the better informed of all the Duels and Combats that happen in Our Provinces, We charge the Governors general, & Lieutenant generals of the same, to give advice to the Secretaries of
State,

State, every one in his own Precincts, of all the Duels and Combats that shall happen within the Limits of their Jurisdiction, to the first Presidents of Our Courts of Parliament, and to Our Attorneys general in the same; in like manner to give advice to our dearly beloved and trusty, the *Sieur le Tellier*, Chancellor of *France*, and the Gentlemen deputed, and Officers of the Marshalseas, to the Marshals of *France*, that they may in their several Places and Stations give Us Information of the same. We also command all Our Subjects to give Us advice thereof, by such Ways as they shall think fit, promising to reward those who shall give notice of Combats, happening in the Provinces, whereof We have received no advice from other Hands, with
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the means of having the Proof thereof.

IV.

When our said Cousins, the Marshals of *France*, the Governors general of Our Provinces, and Our Lieutenant generals in the same, in their absence, or the Gentlemen deputed, shall have information of any difference amongst Gentlemen, and amongst all those that make profession of Arms, within Our Kingdom and Countries under Our Obedience, which proceeding from outrageous Words, or other Causes relating to Honour, may be like to incline them to some extraordinary Resentment: Our said Cousins, the Marshals of *France*, shall forthwith send express Prohibitions
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to the Parties; That directly or indirectly they demand Satisfaction of one another by the ways of Fact, and shall cause them to be cited to appear immediately before them, that there they may be adjusted. And if they apprehend, that the said Parties be so incensed, that they will not give the respect and deference which they owe to their Orders, they shall presently send them Officers and Guards of the Constabulary and Marshalsea of France, to wait upon their Persons, at the Cost and Charge of the said Parties, until they have appeared before them; which shall be likewise practised by the Governors general of our Provinces, and our Lieutenant generals in the same, within the extent of their governments and charges; by causing those

those who have any Quarrel, to be cited before them, or sending some of their Guards or other Persons to wait upon them, to hinder them from coming to the ways of Fact: And We give power to the Gentlemen deputed in every Bailiwick in absence of the Marshals of *France*, Governor general of our Provinces, and our Lieutenant generals in the same, to take the same course with those who have Quarrels, and to make use of Provost Marshals, their Lieutenants and Officers, for the Execution of their Orders.

V.

They who shall have Quarrels, appearing before our Cousins, the Marshals of *France*, or Governors general

General of our Provinces, and Lieutenants in the same, or in their Absence before the said Gentlemen, if any atrocious Injury appear to have been committed with Advantage, either out of a premeditated Design, or Frolick, Our Will and Meaning is, that the Party offended receive so advantageous Reparation and Satisfaction, that he have full Cause to rest satisfied, Confirming as much as is needful by this our present Edict, the Authority given by the deceased Kings, our most honoured Grandfather and Father, to our said Cousins, the Marshals of *France*, to judge and decide, by sovereign and definitive Sentence, all Differences concerning the Point of Honor, and Reparation of Offences, whether they happen in our Court, or any other place of our

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Provinces, where they shall be, and to the said Governors or Lieutenant Generals, the Power which they have also given them for the same end, every one within the Extent of his Jurisdiction.

VI.

And because sometimes Offences are committed, which so much concern Honor, that not only the Persons who receive them, are thereby injured, but also the Respect that is due to our Laws and Ordinances, manifestly violated: We will that those who shall commit such like Offences, besides the Satisfactions ordained in regard of the Persons offended, be likewise Condemned by the said Judges of the Point of Honor, to suffer Imprisonments,
Banish-

Banishments, and Fines. Considering also, that there is nothing more unreasonable, or contrary to the Profession of Honor, than the Outrage that may be committed upon occasion of some civil Interest, or some Law Suit commenced before the ordinary Judges: It is our Will and Pleasure, that in the Accommodations of Offences proceeding from such Causes, the said Judges of the Point of Honor, use all the rigor that they shall think reasonable for the Satisfaction of the Party offended; and that for the Reparation of our Authority, thereby wounded, they Ordain either Imprisonment during the space of three Months or less, or Banishment for so long time from the places where the Offender has his Residence, or the loss of one or two years Re-

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venue of the Matter disputed.

VII.

Seeing many Differences happen amongst Gentlemen, because of Hunting, honorary Rights of Churches, and other Preheminences of Mannors and Lordships, as being nearly related to the Point of Honor: Our Will and Pleasure is, That our said Cousins, the Marshals of *France*, the Governors of our Provinces, and our Lieutenants in the same, and the Gentlemen deputed in the said Bailiwicks or Stewarties, use their utmost Endeavours, to oblige the Parties to agree upon Arbitrators, who may with them Judge summarily without Formalities, the ground of such like Differences, reserving still the
Right

Right of Appeal to our Courts of Parliament, when one of the Parties shall find himself wronged by the Verdict of the Arbitrators.

VIII.

In case a Gentleman refuse, or without lawful cause delay to obey the Orders of our Cousins, the Marshals of *France*, or of the other Judges of the Point of Honor, as to appear before them, when he hath been cited either personally or at his dwelling House, and also when he hath not submitted to the Banishment imposed upon him, he shall forthwith be forced to it, after a certain time prescribed to him by the said Judges, either by a Garrison put into his House, or by the Imprisonment of his Person :

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which

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which shall be carefully put in Execution by the Provosts of our said Cousins, the Marshals of France, under-Bailiffs, under-Stewards, their Lieutenants, Exempts and Officers, upon pain of Sequestration of their Offices, and Loss of their Wages, according to the Ordinances of the said Judges; and the said Execution shall be made at the cost and charges of the disobedient and refractory Party. And if the said Provosts, under-Bailiffs, under-Stewards, their Lieutenants, Exempts and Officers, cannot execute the said Imprisonment, they shall Seize and Estreat all the Revenues of the said banished or disobedient Person, to be applied, and remain as acquired during the whole time of his Disobedience; to wit, one half to the Hospital of the Town where there

there is a Parliament Established, and the other to the Hospitals of the place where there is a Royal Seat, under the Jurisdiction of which Parliament, or Royal Seat, the Goods of the said banished or disobedient Person shall be ; to the end that mutually assisting one another in the Prosecution, the one may supply the Advice and Proof, and the other, interpose our Authority by that of Justice, for the Effect of our Intention. And in case there be preceeding Debts that hinder the uplifting of the said Revenue, applicable to the profit of the said Hospitals, the Summ to which it amounts shall be charged as a Debt upon all the Chattels of the Party banished, to be payed and discharged in course, from the day of the Sentence pass'd against him.

IX.

Moreover we Ordain, That those who have been put under the Guards of our Cousins, the Marshals of *France*, the Governors General of our Provinces, and our Lieutenants in the same, or of the said Gentlemen deputed, and who shall make their Escape in what manner soever, shall be severely punished, and not admitted to Accommodation upon the Point of Honor, till those that have been guilty of the said Escape or Breach of Guard, have been put in prison, and at the instance of our Proctor in the Constabulary, and of the Substitutes of the other Marshals of *France*, proceeded against according to the Forms required by
our

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our Ordinances. It is our Will and Pleasure that upon the Information or Report of the Guards that have been appointed to keep them, without any other Information, they be sentenced at the instance of the said Substitutes, and their Process summarily made.

X.

Though the care we take of the Honor of our Nobility sufficiently appears by the Contents of the foregoing Articles, and by our solicitous search of the means that are esteemed the most proper for stifling Quarrels in their Birth, and laying upon those who offend, the Blame and Shame which they deserve, being nevertheless apprehensive that some may still be so bold

bold as to contravene our Will and Pleasure so expressely declared, and presume that they have reason to seek to revenge themselves, We Will and Command that he, who thinking himself injured, shall give a Challenge to any Man upon his own account, shall for ever forfeit his Right of obtaining Satisfaction for the Offence that he may pretend to have received, be kept in Prison for the space of two Years, and condemned in a Fine to the Hospital of the Town next to the place of his Abode, which is not to be of less Value than the half of one years Rent of his Estate, and besides, that he be suspended from all his Offices; and deprived of the profit of them for three years. We permit all Judges to heighten the said Penalties according as the Conditions

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ditions of the Persons, the Grounds of the Quarrels, as Suits commenced, or other civil Interests, the Prohibitions violated, or Escapes made, the Circumstances of places and times, shall render the Challenge more punishable. And if he that is Challenged, instead of refusing the Challenge, and of giving notice of it to our Cousins, the Marshals of *France*, or to the Governors General of our Provinces, and our Lieutenants in the same, or to the Gentlemen deputed, as we do enjoyn him to do, go to the place assigned, or attempts to do so, he be punished with the same Penalties of the Challenger. Furthermore it is our Pleasure, that they who shall Challenge for another, or shall accept a Challenge, without having informed of it before,

fore, be punished with the same Penalties.

XI.

And for so much that besides the Punishment that those who Challenge ought to incur, there are some who deserve to be doubly chastized and repressed, as when they attack those who are their Benefactors, Superiors, and Lords, or Persons of Command, and raised by the Quality of their Charges, and especially when the Quarrels arise for Actions of Obedience, to which an inferior Condition, Charge or Employment hath subjected them, or for the Corrections which they have undergone by their Authority, who have the power to impose them upon them : Considering that

that there is nothing more necessary for the maintaining of Discipline ; especially amongst those who make profession of Arms, than Respect towards those who command them : We Will and Command, That they who shall break out into that Excess, and more particularly they who Challenge their Officers or others, who have the right to Command them, shall be kept in Prison for the space of four years, deprived of the Exercise of their Charges during the said time, with the Pay and Salary due to them, which shall be given to the Hospital general of the next Town ; and in case it be an inferior against his Superior or Lord, he shall be kept in Prison during the said four years, and shall be condemned in a Fine which cannot be

be less than a years Rent : Expressly charging our said Cousins, the Marshals of *France*, Governors General of our Provinces, and the Lieutenant Generals in the same, and the Gentlemen deputed, and especially the Generals of our Armies, wherein that disorder may be more frequent than any where else, to see to the severe and exact Execution of the present Article. And if the Superior Officers or Lords who have been challenged receive the Challenge, and put themselves in a condition of satisfying the Challengers, they shall be punished with the same Penalties of Imprisonment, Sequestration of their Charges and Revenues of the same, and Fines above specified, not to be dispensed therefrom, what ever Instances and
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Supplications they may make to us for that effect.

XII.

And for as much as we are resolved to casheer and turn out of place, all who shall be found guilty of the said Crime, and that notoriously: if they who have been so casheered and turned out of place resent it against those whom we shall prefer to the same, by Challenging, or Provoking them to fight, either by themselves or others, in Re-encounter, or otherwise, We Will that they, and those whom they have made use of, be imprisoned for the space of six years, and condemned in a Fine of six years Rent of their Estates, without any hopes of ever being

being releas'd from the said Penalties: And generally that they who shall a second time violate our present Edict, as Challengers, and more particularly they who have made use of Seconds to carry their Challenges, be punished with the same pains of Imprisonment, loss of Places, and Fines, though no Combat ensued upon it.

XIII.

If contrary to the Prohibitions of this our present Edict, the Challenger and Challenged do actually fight, We Will and Ordain, That though there be none either wounded or killed, yet they shall be proceeded against criminally and extraordinarily; that they be with-

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without pardon punished with Death, that all their Goods real and personal be confiscated to us, a third of them applicable to the Hospital of the Town where the Parliament is, in the Jurisdiction whereof the Crime hath been committed, and joyntly to the Hospital of the Royal Seat next to the place of the Fact; and the two other thirds, as well for the Charges of the Apprehension and Execution of Justice, as to what the Judges shall think equitable to adjudge to the Wives and Children, if any there be, for their Subsistance and Entertainment only during their Lives. And if the Crime be committed in the Provinces, where Confiscation has no place, It is our Will and Pleasure, That instead of the said Confiscation, a

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Fine be set upon the Goods of the Criminals, to the profit of the said Hospitals, which is not to be less than the half of the Goods of the Criminals. We Command and Charge our Proctors general, their Substitutes, and those who have the Administration of the said Hospitals, to make careful Search and Prosecutions for the said Summs and Confiscations, for the which their Action shall continue during the time and space of twenty years, though they should even make no Prosecution that might prorogue it, the which Summs and Confiscations shall not be remitted nor diverted, upon any Cause or Pretext whatsoever. And if one or both the Duellers be killed, We Will and Command, That the Criminal Process be made against the memory

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ry of the Dead, as against those who are guilty of Treason against God and Man; and that their Bodies be deprived of Burial; prohibiting all Curates, their Vicars and other ChurchMen to interr them, nor suffer them to be interred in Consecrated Ground: confiscating besides, as above, all their Goods real and personal. And as to the Survivor who hath killed, besides the above mentioned Confiscation of all his Goods, or the Fine amounting to one half of the same in the Countries where Confiscation hath no place, he shall unpardonably be punished with Death, according to the Disposition of the Ordinances.

XIV.

The Goods of him that hath been killed, and of the Survivor, shall be disposed of by the Administrators of the Hospitals during the prosecution of the Action for Duelling, and the Revenues applied to the defraying the Costs of Suit.

XV.

Though we hope that our Prohibitions, and the Penalties so justly appointed against Duels, will keep all our Subjects for the future from falling into them, nevertheless if any should still be so rash as to dare to contravene our Will and Pleasure, not only

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only in doing themselves Justice, but besides in engaging also in their Quarrels and Resentments, Seconds, Thirds, or a greater number of Persons; which cannot be done but by a crafty Cowardice, which makes those who are sensible of their own weakness, seek for the safety they need, in the Skill and Courage of others: We Will that they who shall be found guilty of so criminal and base a Contravention of our present Edict, be without remission punished with Death, though no Man should be wounded or hurt in the Duels; that all their Goods be confiscated as before, that they be degraded from Nobility, and declared ignoble, incapable for ever of holding any place, their Arms defaced and publickly born by the Executioner

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of High Justice. We enjoin their Successors to change their Arms, and take a new Coat, for which they shall obtain our Letters for that Effect, and in case they resume the same Arms, they shall of new be defaced and born by the publick Executioner, and they condemned in the Fine of two years Rent of their Estates, one half applicable to the Hospital general of the next Town; and the other half at the Pleasure of the Judges. And seeing no Chastisement can be great enough to punish those who engage upon so slight an Account and so criminally in the Resentment of an Affront wherein they have no Concern, and which they ought rather endeavour to adjust for the Preservation and Satisfaction of their Friends, than to pursue the
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Revenge of it by ways that are as far from true Valour and Courage, as they are from Charity and Christian Friendship, It is our Will, That all who fall into the Crime of being Seconds, Thirds, or other numbers, be alike punished with the same Penalties which we have appointed for those that shall employ them.

XVI.

Forasmuch as there are some of base Birth, and who have never carried Arms, who are nevertheless so insolent as to Challenge Gentlemen, who because of the difference of their Conditions refusing to do them Reason, the same Persons stir up other Gentlemen against those whom they have challenged,

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whence sometimes Murders follow, so much the more detestable, as that they proceed from an abject Cause : We Will and Command that in case of such Challenges and Combats, especially if they be attended with any great Wound, or Death, the said ignoble fellows who shall be duly attaint and convicted of having caused and promoted such Disorders, without remission be hanged ; all their Goods moveable and immoveable confiscated, two thirds to the Hospitals of the places, or of the next adjacent ; and the other third employed for the charges of the Tryal, for the maintenance of the Widows and Children of the deceased, if any there be : With power besides to the Judges of the said Crimes to appoint of the Goods confiscated

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such Recompence as they shall think reasonable to the Informer and other Discoverers of the said Case, to the end that in so punishable a Crime every one may be invited to the informing of it. And as to the Gentlemen who have so fought for unworthy Causes, and against ignoble Persons, We Will that they suffer the same Punishments that we have appointed against Seconds, if they can be Apprehended; if not they shall be proceeded against upon default and contumacy, according to the rigor of the Ordinances.

XVII.

We Will that all who shall knowingly carry Challenges, or attend to the places of Duels or
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Rencounters, as Lackeys, or other Servants, shall be whipt and stigmatized for the first Fault; and if they relapse into the same Fault, sent to the Gallies for ever. And for those who have been Spectators of a Duel, if they have gone purposely for that effect, We Will that they be for ever deprived of the Places, Dignities and Pensions which they possess; and if they have no places, that a fourth part of their Goods be confiscated and applied to Hospitals, and if the Fact be committed in any Province where Confiscation hath no place, that they be condemned in a Fine for the profit of the said Hospitals, which is not to be less worth than the fourth part of the Goods of the said Spectators, whom with Reason we repute Accomplices of so de-

detestable a Crime, seeing they assist at it, and hinder not the same as much as they can, to which by the Laws of God and Man they are obliged.

XVIII.

And forasmuch as it hath frequently happened that for avoiding the rigor of the Penalties by so many Edicts appointed for Duels, many have sought for occasions of Rencountering, We Will and Command that they, who pretend to have received any Offence, and have not given notice of it to the said Judges of the Point of Honor, and who shall engage upon Ren-counter, or fight singly, or in an equal state and number, with alike Arms on each side, on foot, or on horse.

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horseback, be subject to the same Punishments as if it had been a Duel. And because there have been also some of our Subjects, who having quarrelled within our Dominions, and having met to fight without them, or upon our Frontiers, have thought that by that means they might evade the effect of our Edicts, We Will that all who shall do so, be pursued criminally, if they can be taken; if not, upon contumacies and that they be condemned to the same Punishment, and their Goods confiscated, as if they had contravened the present Edict, within the Bounds, and not withdrawing out of our Provinces, Judging them so much the more criminal and punishable; that the first Emotions in the heat and newness of the Offence

Offence can no more excuse them, and that they have had time enough to moderate their Resentment, and abstain from so prohibited a Revenge, no place being left for those concerned in the Cases mentioned in this present Article to alledge chance or accident, to which we charge our Judges to have no Respect.

XIX.

And to prevent that so holy a Law and so profitable to our State, become not useles to the publick, for fault of Observation thereof, We most expressly Enjoyn and Command our Cousins, the Marshals of *France*, to whom, under our Authority, belongs the cognisance and dicision of Contests
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and Quarrels that concern the Honor and Reputation of our Subjects, diligently and exactly to see to the Execution of our present Edict, without remitting any thing in it, or permitting that by Favor, Connivence, or any other way, it be in any manner contravened. And that our said Cousins, the Marshals of *France*, may have the more Means and Power, to hinder and repress that unbridled Licentiousness of Duels and Rencounters; considering besides that diligence is of great Importance for the punishment of such Crimes, and that the Provosts of our said Cousins, the Marshals, the under-Bailiffs, under-Stewards, and Lieutenants criminal of the Short Robe, are most commonly on horseback for our Service, that they may be the readier and
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more proper for proceeding against the guilty of Duels and Rencounters, We have of new assigned the Execution of the present Edict, as well within as without the Precincts of Towns, to the Officers of the Constabulary and Marshal-*lee* of *France*, Provosts general of the said Constabulary of the *Ile of France* and the Mints, and all other Provosts general, provincial and particular, under-Bailiffs, and under-Stewards, and Lieutenants criminal of the Short Robe, in concurrence with our ordinary Judges, and with *pro-vi-so* of an Appeal to our Courts of Parliament, to whose Jurisdiction it ought to belong, notwithstanding all Declarations and Edicts, prohibiting the said Provosts to take cognisance of Duels and Rencounters, to the contrary.

XX.

The Judges and other Officers who shall suppress and change the Informations, shall be turned out of their places, and punished as Forgers.

XXI.

And forasmuch as it frequently enough happens, That the said Provosts, under Bailiffs, under Stewards and Lieutenant criminals of the Short Robe, are negligent in executing the Orders of our said Cousins, the Marshals of France, We Will and Command, That if the said Officers fail to obey the first Command of our said Cousins, the Marshals, or of one of them,

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or of the other Judges of the Point of Honor, in Summoning those who quarrel to appear at the day appointed, and in seizing and arresting them in case of Refusal and Disobedience; and finally in executing punctually, and all Affairs laid aside, what shall be enjoined and commanded them by our said Cousins, the Marshals of *France*, and Judges of the Point of Honor, they be by our said Cousins punished and chastized for their Negligences by Suspension from their Places, and Deprivation of their Salaries, which may be really attached and seized, upon the bare Order of our said Cousins, the Marshals of *France*, or of one of them, signified to the Treasurer in Ordinary of our Wars who shall be in duty, personally or at his

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dwelling House. Furthermore we command the said Provosts, under-Bailiffs, under-Stewards, their Lieutenants and Officers, in their several Jurisdictions, upon the same Penalties of Suspension and Deprivation of Salary, that upon the Report of a Combat fought, they forthwith go to the places to arrest the guilty, and make them Prisoners in the Royal Prisons next to the place where the Fact is committed, ordaining, That for every Seizure they be paid the Summ of fifteen hundred Livers, to be raised with the other charges of Suit upon the readiest Goods of the guilty, and preferably to the Confiscations and Fines, which we have before imposed.

XXII.

And seeing the guilty, to avoid falling into the hands of Justice, commonly fly to the Houses of the great Men of our Kingdom, We most expressly and strictly forbid all Persons, of what Quality and Condition soever they be, to receive within their Houses any who have contravened this our present Edict. And in case any be found who give them Sanctuary, and refuse to deliver them up unto the hands of Justice, so soon as they shall be required to it, We Will that the Informations thereof, duly taken and drawn up by the said Provosts, of the Marshals and other Judges, be forthwith and instantly sent to the Secretaries of State according

to their several Offices, as also the Attorneys general of our Courts of Parliament, and to our said Cousins, the Marshals, to the end that having consulted with them, we may command a rigorous Prosecution of those who protect so criminal disorders.

XXIII.

But if notwithstanding the Care and Diligence prescribed by the preceding Articles, the Credit and Authority of the Parties interess'd in these Crimes divert the proofs of them by Threats or Artifice, We Will that upon the bare requisition made by our Attorneys general or their Substitutes, Monitories be decreed by the Officials of the Bishops of the places, which shall

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shall be published and thundered, according to canonical Form, against those who refuse to come and declare what they know concerning Duels and Rencounters that have happened. We further Command that for the future our Attorneys general in our Courts of Parliament, and their Substitutes, upon notice given them of Combats that have been fought, shall make their Requisitions against those, who by notoriety shall be judged guilty of them, and that according thereunto our said Courts, without other proofs, order, That within the time that they shall think fit, they be obliged to render themselves Prisoners for justifying themselves, and answering upon the Requisitions of our said Attorneys general: And if

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within

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within the said time they fail to obey the Orders that are intimated, to them at their dwelling Houses, We will have them proceeded against upon Default and Contumacy, be declared convicted of the Crimes objected to them; and as such, that they be condemned in the Penalties mentioned by our Edicts, and their Goods acquired and confiscated to us, and put into our hands, without waiting until the five years of Defaults and Contumacies be expired, that all their Houses be rased, and their Woods of high growth cut off to a certain height, according to the Orders we shall give, and themselves declared infamous, and degraded from Nobility, being for the future incapable of any Place or Office. We forbid all our Courts
of

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of Parliament and our other Judges to admit them to their Justification after the Sentences of Condemnation, ever during the five years of Contumacy, till first they have obtained our Letters, allowing them permission to appear, and have payed the Fines in which they have been condemned, and that notwithstanding the eighteenth Article of the seventh Title of our criminal Ordinance, which we have dispensed and do dispense with in that respect, without being drawn into Consequence.

XXIV.

And even when the suspected have been arrested, and put in Prison, or that they have delivered themselves into Prison, We Will,

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That

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That in case our Attorneys general find it difficult to make out the proofs of the said Combats, our Courts give them the delays which they shall require, referring it to the Honor and Conscience of our said Attorneys general not to make use of them, but for the good of Justice.

XXV.

During the time that the Parties accused or suspected of the said Crimes do not render themselves Prisoners, We will, That the Jurisdiction of their Lands be executed in our Name; and during the said time, We will provide to the Offices and Benefices of which the disposition belongs to the said Parties accused or suspected.

XXVI.

XXVI.

And to prevent that during the time of the Tryals upon defaults and contumacies, the Parties suspected may not make use of the Means which they usually practise for taking off the proofs of their Crimes, by terrifying the Witnesses, or obliging them to retract when they come to swear, It is our Will and Pleasure that notwithstanding the third Article of the fifteenth Title of our Ordinance of the Month of *August*, 1670. with which we have dispensed and do dispense upon this account of the Crime of Duels only, the Officers of our Courts, and the Lieutenants criminal of Bailiwicks where there is a Presi-
dial

dial Seat, may proceed to the Examination of Witnesses within the twenty and four hours, and as soon as may be, after they have been heard in the Informations, and that before any Judgment that ordains it, hath past, though the Examinations must not stand in stead of Confrontation, till it hath been so ordained by the Judgment of Default and Contumacy.

XXVII.

We declare those that are condemned upon Contumacy, incapable and unworthy of all Successions that may fall to them after their Condemnation, though they be within the five years, and that they were afterwards restored notwithstanding their Contumacy. If the Successions

sions fall before the Restauration, the Lordship and Jurisdiction of the Lands shall be executed in our Name, and the Fruits assigned to the Hospitals, without hopes of Restitution, to be counted from the day of the Condemnation upon Contumacy.

XXVIII.

We Will and Command in like manner, That in the places remote from Towns where our Courts of Parliament Sit, That when after all the aforementioned Searches and Perquisitions, the guilty of Duels and Rencounters cannot be found, at the desire of the Substitutes of our Attorneys general, upon the bare notoriety of Fact, Seifure be decreed against the absent,

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sent, and for fault of being able to apprehend them by virtue of that Decree, all their Goods be seized; and that they be cited to appear within three short Terms consecutively, and that thereupon the defaults shall be put into the hands of our Attorneys general or their substitutes, that the profit of them may be adjudged without other form or figure of Process within eight days after the Crime committed, and without any Obligation upon our said Attorneys general, or their Substitutes to inform, and make proof of the Notoriety.

XXIX.

When the Accusation is for the Crime of duelling, no Regulation

on of the Judges can be made, notwithstanding all pretext of Prevention, Assassination or otherwise, and the Process cannot be pursued, but before the Judges of the Crime of duelling.

XXX.

And to prevent the surprises of those, who to obtain Pardons, may disguise to us the truth of Combats that have happened, and alledge false Matters of Fact., to make it be believed that the said Combats happened unexpectedly, and in consequence of a Quarrel arising on the spot: We Ordain, That no man can carry through the Seals the grant of any Pardon in Cases where there is suspicion of a premeditated Duel or Ren-
counter,

counter, unless he be actually a Prisoner in our Retinue, or at least in the chief Prison of the Parliament, in the Jurisdiction whereof the Combat hath been fought, and unless it hath been verified, that he hath in no manner contravened this our present Edict, so that having thereupon taken the advice of our Cousins, the Marshals of *France*, we may grant him a Remission with knowledge of the Cause.

XXXI.

And for as much as in pursuance of our Orders our Cousins, the Marshals of *France*, are assembled to review and examine of new, the Regulation made by them concerning the several Satisfactions and

Re-

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Reparations of Honor, to which by Orders from us they have added more severe Punishments against the Aggressors, It is our Will and Pleasure, That the said new Regulation dated the 22. of this present Month, together with that of the 22. of *August* 1653. hereto annexed under the counter-Seal of our Chancellery, be inviolably followed and observed for the future by all those that shall be employed in adjusting Differences which concern the Point of Honor and Reputation of Gentlemen.

XXXII.

And in respect that sometimes the Administrators of Hospitals have neglected to recover the said Fines and Confiscations, We will,
That

That the recovery of Fines and Confiscations, adjudged to the said Hospitals, and other Persons, who have been negligent for the space of a year, to be counted from the day of the Sentences of Condemnation, be made by the Receiver general of our Revenues, to whom the half of the said Confiscations and Fines shall belong, for the charges of the Recovery, reserving to our self to dispose of the other half in favors of what Hospitals we please, besides that to which they have been adjudged.

XXXIII.

It is moreover our Will and Pleasure, That when Gentlemen have not obeyed the Orders of the Marshals of *France*, and that they have

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have incurred the Fines and Con-
fiscations appointed by this present
Edict, and the Regulation of
the Marshals of France, advice of
it shall forthwith be given by the
said Marshals of France to our At-
torneys general in our Courts of
Parliament, or to their Substitutes,
whom we enjoyn immediately to
proceed to the seisure of Goods,
until the said Gentlemen do o-
bey; and in case they obey not
within three Months, the Fruits
shall be purely applied to Hospi-
tals, until they have obeyed, the
charges of Provosts, of Pro-
cedure, Guards and others being
first defalcated; and for that ef-
fect we Will that the Directors and
Administrators of the said Hospi-
tals, be put in Possession and actual
Enjoyment of the said Goods.

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We

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We Enjoyn our said Attorneys general, and their Substitutes, to joyn with the said Directors and Administrators, for the speedy and real uplifting of the said Fines. We especially charge the Judges, to have no respect to Contracts, Wills and Testaments, nor other Acts made within six Months before the Crimes committed.

XXXIV.

When any one shall happen to be killed in Combats, we permit the Relations of the deceased to become party within three Months for longest delay, against him who hath killed; and in case he be convicted of the Crime, condemned and executed, We make over the Confiscation of the deceased to the
pro-

profit of him that hath pursued, who shall not be obliged to obtain another grant of the Gift besides this present Edict. As to the Relations to whose profit we have made over the Confiscation, We Will that the nearest of Kin be preferred before the more remote, provided they have made themselves parties within the three Months, upon condition of reimbursing the charges that have been laid out.

XXXV.

The Crime of duelling cannot be extinguished neither by Death, nor by any Prescription of twenty or thirty years, nor by any other, unless Execution, Condemnation, or Complaint have been made,

M 2 and

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and it may be prosecuted after any lapse of time whatsoever against the Party or against his Memory : Nay, those who shall be found guilty of duelling since our Edict of 1651. Registered in our Court of Parliament of *Paris*, in the Month of *September* the same Year, may be called to an Account for the other Crimes committed by them before or since, notwithstanding the said Prescription of twenty and thirty years, provided they be at the same time tried for the Crime of duelling, and by the same Judges, and that they be convicted of the same.

XXXVI.

All the Penalties contained in the present Edict for Punishment of
of

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of the Contraveners of our Will and Pleasure, would be useleſs and of no effect, if by the Motives of an inflexible Juſtice and Steadfaſtneſs, we maintained not the Laws which we have Eſtabliſhed. For that end, We Swear and Promise in the Faith and Word of a King, not to exempt for the future any Perſon, for any Cauſe or Conſideration whatſoever, from the rigor of the preſent Ediſt, that no Remiſſion, Pardon and Obolition ſhall be granted by us to thoſe who ſhall be guilty of the ſaid Crimes of Duels and Rencounters. We moſt ſtrictly charge all Princes and Lords about us not to make any Interceſſions for thoſe that are guilty of the ſaid Crimes, upon pain of incurring our Indignation. Proteſting again, That nei-

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ther

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ther in favors of any Marriage of a Prince or Princess of our Blood, nor for the Birth of Princes or Children of *France*, which may happen during our Reign, nor for any Consideration general and particular that may be, we will not knowingly suffer any grants to be expedited contrary to our present Will, the Execution whereof we have expressly and solemnly sworn upon the day of our Coronation, to the end, so Christian, Just and Necessary a Law may be rendred more authentick and inviolable. We Charge and Command our trusty and beloved Councillors, those that hold our Court of Parliament, that they cause these Presents to be read, published and registred, and the Contents thereof inviolably kept and observed, without
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contravening, or permitting them to be contravened: for such is our Pleasure. And that it may be a thing for ever firm and stable, We have caused our Seal to be put to these Presents. Given at St. German in Laye in the Month of August one thousand six hundred seventy nine, and thirty seventh year of our Reign. Signed, LOUIS, and underneath, by the King, COLBERT.

Which Edict was Registered in the Parliament of Paris, the first of September following.

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*A Regulation made by the
Marshals of France con-
cerning the several Satis-
factions, and Reparations of
Honor, August 22. 1653.*

AS to what we are Comman-
ded by expresse Orders from
the King, and particularly by his Ma-
jesty's Declaration against Duels,
read, published and registred in the
Parliament of Paris the 29. of July
last, That we should instantly meet to
frame a Regulation, the most exact and
distinct that may be, concerning the
various Satisfactions and Reparations
of Honor, which we shall judge ought
to be appointed according to the different
degrees of Offences: And in such a
manner that the Punishment of the Ag-
gressor,

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gressor, and the Satisfaction of the Party offended, be so great and so proportionable to the Injury received, that no new Complaint nor Quarrel may rise upon that account: the said Regulation to be inviolably followed and observed for the future by all those who shall be employed in adjusting of Differences concerning the Point of Honor and Reputation of Gentlemen. We having seen and examined the Propositions of several Gentlemen of Quality of this Kingdom, who have had divers Conferences together upon this Subject, in pursuance of the Orders they had from us of the first of July 1651. and who have presented in our Assembly the said Propositions, drawn up in writing, and signed with their Hands, after mature deliberation we have concluded and agreed upon the following Articles.

I.

I.

In the first place, That in all Occasions and Subjects that may cause Quarrels and Resentments, no Gentleman ought to think it inconsistent with Honor to do any thing that may give a clear and sincere Explanation of the Truth,

II.

That amongst Gentlemen, many having already solemnly protested and in writing, that they will refuse all Challenges, and never fight a Duel for any cause whatsoever: These are so much the more obliged to give a clear understanding, that without it they would formally contravene their own writing,

ting, and by consequent the more deserve reproof and chastisement in the adjusting of Quarrels that may arise for want of a clear understanding.

III.

But if he that pretends himself to be offended has so little Reason, as not to be satisfied with the Explanation that hath been fairly and sincerely given him, and that he will oblige him by whom he thinks himself affronted, to fight him : He who hath renounced duelling, may answer him to this or the like purpose : *That he wonders very much, that knowing the last Edicts of the King, and particularly the Declaration of several Gentlemen, wherein he hath publickly engaged himself not to fight,*
he

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he will not rest satisfied with the clear Understanding that he gives him : And that he considers not, that he neither can, nor ought to give or receive any place for fighting, nay, nor to tell him where he may Rencontre him, but that he will change nothing in his ordinary course of Life. And generally all other Gentlemen may answer : That if they be set upon they will defend themselves, but that they think not themselves obliged in Honor to fight in cold Blood, and so formally to contravene his Majesty's Edicts, the Laws of Religion, and their own Conscience.

IV.

When there happens any Quarrel amongst Gentlemen of whom some have promised under hand writing not to fight, and the others,

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thers, not : these latter shall always be reputed Aggressors, if the contrary appear not by evident proof.

V.

And because the ways of Fact might easily be prevented, if we, the Governors, or Lieutenant generals of Provinces were carefully informed of all the Causes and Beginnings of Quarrels, We have consulted and agreed, conform to the power given us by his Majesty's last Edict, registred in Parliament, the King sitting there, the 7th. of September 1651. forthwith to name and depute in every Bailiwick and Stewardry of this Kingdom, one or more Gentlemen of Quality, Age, and requisite

site Sufficiency for receiving the Intelligences of the differences of Gentlemen, and for sending them to us, or to the Governors and Lieutenant Generals of Provinces, when they are resident there ; and for doing all things in general that are prescribed by the second Article of the said Edict.

And in Conformity to the same Edict, we charge all our Provosts, under-Bailiffs , under-Stewards, Lieutenants criminal of the short Robe, and other Officers of Marshalseas, readily and faithfully to obey the said Gentlemen deputed, for the Execution of their Orders.

VI.

And to the end we may be the more carefully informed of the Differences of Gentlemen, we declare, according to the third Article of the same Edict, That all, who shall meet, though accidentally, in the places where Offences are given, either by Reports, injurious Discourses or Words, or by giving the Lye, Threats, Blows, Cudgelings, or other Outrages against Honor, of what nature soever they be, shall for the future be obliged to give us notice of the same, or the Governors, or Lieutenant Generals of Provinces, or the Gentlemen deputed, upon pain of being reputed accomplices of the said Offences, and of being prosecuted

secuted as having tacitly contributed thereunto; and that they who have knowledge of Law Suits ready to be commenced amongst Gentlemen for some important Concern, shall be also obliged, according to the same third Article of the said Edict, to give us notice of the same, or the Governors and Lieutenants general of Provinces, or the Gentlemen deputed in the Bailiwicks, to the end means may be provided to hinder the Parties from leaving the ordinary course of Justice, and coming to the ways of Fact for doing themselves right.

VII.

And because that in all Offences that one may receive, it is necessary to establish some general Rules for the Satisfaction, which may sufficiently repair the Honor when once they are received and practised, seeing it is but too true, that Opinion alone hath established most part of the Maxims of the point of Honor; and considering, That in Offences, it is above all things to be minded, if they have been given without Cause, and if they have not been answered with some Repara-
tees or more heinous Revenges :
We declare that in those which have been so given without cause, and have not been an-
N swered,

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swered, if they consist in reproachful words, as of Sot, Coward, Traitor, or the like, it may be ordered for a Punishment, that the Offender lie a month in Prison, and the time not to be lessened, by the Credit or Intercession of any Person whatsoever, no not by the Indulgence of the Party offended, and that after he comes out of Prison, he shall declare to the Person offended, *That impertinently and out of purpose he hath offended him by outrageous words, which he acknowledges to be false, and begs his pardon for them.*

VIII.

For the Lye, or Blows with the Hand or Cane, two Months Imprisonment shall be appointed, which, as before, cannot be shortened; and after that the Offender is come out of Prison, he shall ask the Party offended pardon, with words more satisfactory than the former, and which shall be particularly specified by the Judges of the Point of Honor.

IX.

For actual Offences by Cuffs or the like, it shall be appointed for Punishment, That the Offender lie in Prison for six Months, which time, as before, is not to be dimi-

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nished,

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nished, unless the Offender desire, that the half of that Imprisonment alone be commuted into a Fine, which cannot be less than fifteen hundred Livers, applicable to the next Hospital to the place where the Party offended lives, and which shall be paid before the said Offender come out of Prison. Nay and after he comes out, he shall submit himself over and above to receive from the hand of the Party offended, Blows of the same nature of those which he hath given, and shall declare by word and writing, *That he hath brutishly stricken him, and pray him to pardon and forget that Offence.*

X.

For Caneings, or other Outrages of the like nature, the Offender shall lie in Prison for a whole year, and that time cannot be moderated, unless for six Months, upon payment of three thousand Livers as a Fine, payable and applicable in the manner above mentioned. And after he is come out of Prison he shall on his knees beg pardon of the Party offended, in that posture submit himself to receive the like Blows, humbly thank him, if he give him them not, as he might, and besides declare by word and writing, *That he hath brutishly offended him, beseech him to forget it, and that if he were in his place, he would be content with the same*

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Satisfactions. And in all Offences of Blows with the Hand, Cane, or such like, besides the aforesaid Punishments and Satisfactions, the Party offended may be obliged to chastise the Offender with the same Blows that he hath received, tho he should even be so generous as not to be willing to give them, and that only in case that the Offence be by the circumstances judged so atrocious, that it requires the Party offended to be reduced to that Necessity.

XI.

And when Accomodations are made in all the aforesaid Cases, the Judges of the Point of Honor may appoint what number of the Friends of the Party offended they please,

to

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to see the Satisfactions enjoyned, performed, and rendred more publick.

XII.

For Offences and Outrages done to the Honor of a Gentleman, upon occasion of some civil Interest, or of some Law Suit already commenced before the ordinary Judges, in these the Satisfactions cannot be too rigorous. And they who adjust such differences, may, besides the Punishments above specified in every kind of Offence, order also Banishment, for as long a time as they shall judge convenient, from the places where the Offender has his ordinary Residence. And when, by notoriety of Fact, or other proofs, it be made appear, That a Gentle-

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man hath taken possession of any thing by the ways of Fact or by Surprise, no Accommodation can be made, nor concerning the Point of Honor, till first the thing disputed be put into the same condition it was before the Violence, or Surprise,

XIII.

And because besides the aforementioned causes of Differences, Words that may be pretended to have been given and broken, produce a great many others: We declare, That a Gentleman that hath got a promise of another, concerning any Business whatsoever, can build nothing upon it for the future, nor complain of the breach of it, unless it hath been given him
in

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in writing, or in presence of one or more Gentlemen. So that all Gentlemen shall hereafter be obliged to use that caution, not only for obeying our Regulations, but also for the interest that every one hath of preserving the Friendship of him that hath past his word to him, and of not being declared an Aggressor, as he shall be for the time to come in all Quarrels that shall arise from a Promise given without Writing or Witnesses, and which he shall pretend not to have been kept,

XIV.

If a Promise made in Writing, or before other Gentlemen, be violated, the Party concerned shall be obliged to demand Justice from us, from the Governors, or Lieutenants

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tenant generals of Provinces, or from the Gentlemen deputed, for fault whereof he shall be reputed Aggressor in all the Quarrels that may happen upon breach of that promise: as also all the Witnesses of the said breach of promise, who have not given notice of it, shall be responsible for all the Disorders that may follow thereupon. And as to what concerns the said breaches of Promise, Reparations and Satisfactions shall be appointed according to the Importance of the Affair.

XV.

If by the Relation of those that were present, or other proofs it appear, that an Injury hath been done upon a premeditated design, out of frolick,
and

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and upon Advantage, We declare, That according to the Laws of Honor, the Party offended may prosecute the Aggressor and his Complices before the ordinary Judges, as if he had been assassinated. And that proceeding ought not to seem strange, since he that offends another upon Advantage, by that Action renders himself unworthy of being used as a Gentleman: if nevertheless the Person offended had not rather refer himself to our Judgment, or to the Judgment of the other Judges of the Point of Honor for Satisfaction, and for the chastisement of the Aggressor, which ought to be far greater than all the preceding, which only concern Offences given in sudden and unexpected Quarrels.

XVI.

In case a Gentleman refuse, or without lawful Cause delay to obey our Orders, or the Orders of the other Judges of the Point of Honor, as to appear before us or them, when he hath been summoned to it either personally or at his dwelling House; and also when he hath not submitted to the Punishments inflicted upon him: He shall be, after a time prescribed, forthwith constrained to it, by quartering Souldiers in his House, or Imprisonment, conform to the eighth Article of the said Edict. Which shall be carefully put in Execution by our Provosts, under-Bailiffs, under-Stewards, Lieutenants criminal of the short Robe, and other Lieutenants, Exempts and Officers

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ficers of the Marshalseas, upon pain of Suspension from their Charges, and loss of their Salaries; and the said Execution shall be done at the Cost and Charges of the disobedient and refractory Person.

XVII.

And according to the same eighth Article of the said Edict, if our Provosts, under-Bailiffs, under-Stewards, Lieutenants criminal of the short Robe, and other Officers of the Marshalseas, cannot put in Execution the said Imprisonments, they shall seize and estreat all the Revenues of the said disobedient, give advice of the said Seisures to the Attorneys general or their Substitutes, according to the last Declaration against Duelling, registred in the Parliament of

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of Paris the 29th. of July last ; the said Revenues to be applied, and remain acquired, during all the time of disobedience, to the Hospital of the Town where the Parliament is ; under the Jurisdiction whereof the Goods of the disobedient are joyntly with the Hospital of the Royal Seat, on which they also depend ; to the end that mutually assisting one another in the Prosecution, the one may furnish Information and Proof, and the other Justice and Authority. And in case there be preceding Debts which hinder the uplifting of the Revenue confiscated to the profit of the said Hospitals, the Summ to which the said Revenue may amount, shall become a real Debt upon all the goods moveable and immoveable of the disobedient,

ent, to be payed and discharg'd in course, according to the same eighth Article of the said Edict.

XVIII.

If they who have been by us, and the other Judges of the Point of Honor put under Guard, make their escape, the Accommodation shall not be made till first they have kept prison during the time that shall be appointed.

XIX.

And generally in all the other Differences of Offences, that have not been above specified, and which are of infinite variety; as if they have been given without cause, and if they have been answered with more heinous Repartees; or if by outrageous Words the Offender

der has drawn upon himself the Lye, or a Cuff; and in a word, in all other Rencounters of Injuries insensibly aggravated, We refer it to the Judges of the Point of Honor, to appoint such Punishments and Satisfactions as the Cases and Circumstances shall require; exhorting them to have always a particular Eye upon him that hath been the Aggressor, and the first cause of the Offence, and to send back before us all those who would represent to us their Reasons, conform to the Second Article of his Majesty's last Edict, registred, as hath been said, in Parliament the 7th. of September 1651.

Made at Paris the two and twentieth day of August, one thousand six hundred and fifty one. Signed, D'Estree, De Grammont, &c.

The

*The new Regulation made by
the Marshals of France,
which confirms and enlarges
the former, of the 22. of
August 1679.*

THe King having command-
ed us to meet, and examine
of new the Regulation which we
made by express Orders of his Ma-
jesty dated the 22. of *August 1653.*
concerning the Satisfactions and
Reparations of Honor amongst
Gentlemen ; it being his Majesty's
Intention to augment the Punish-
ments and Satisfactions, in such
sort that they be equal and propor-
tionable to the Injuries. In obe-
dience to his Majesty's Orders, un-
der his good Will and Pleasure,
We have thought,

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That

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That the 1, 2, 3, 4 and 5 Articles of the said Regulation ought to be put in Execution.

As to the 6. it is our Opinion, That those who have been present at Offences, and have not informed of them, ought to be punished by six Months Imprisonment.

As to the 7th. Article, Instead of one Months Imprisonment, for him that hath offended, we are of Opinion, That he lie two Months in Prison, and that the rest of the Article be put in Execution.

As to the 8th. Article, It is our Opinion, That the Offender ought to suffer four Months Imprisonment instead of two, and after he hath come out of Prison, ask pardon of the Party offended.

As to the 9th. Article, We think that for actual Offences of Cuffs or
Blows

Blows with the Hand in the heat of Quarrels, if a Lye went before the Box or Blow, he that hath stricken ought to be committed to Prison for a year; and if no Lye went before, he ought to lie in Prison for the space of two years, and the time not to be shortened for any cause whatsoever, though the Party offended should even demand it; and that after the Offender is come out of Prison, he shall still submit to receive from the Hand of the Party offended the like Blows as he hath given, and shall declare by Word and Writing, That he hath stricken him brutishly, and beseech him to pardon him, and to forget that Offence.

As to the 10th. Article, In regard of Caneings, or other the

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like Outrages given in the heat of Quarrels, in case they have been given after a Box or Blow with the Hand, he that hath stricken with a Cudgel or otherwise, shall keep Prison for the space of two years; and in case he hath been beaten before, he shall be Prisoner for four years; and when he hath come out, he shall ask pardon of the Party offended.

As to the 11, 12, 13 and 14th, Articles, it's our Opinion, That they ought to be put in Execution, and nothing altered in them.

As to the 15th. Article, we judge, That if by the Relation of Persons present, Notoriety, or any other Proofs, it appear that an Injury by Blows of a Cane, Cudgel, or any other of the like nature hath been done
by

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by premeditated Design, Surprise, or upon Advantage, he that hath stricken singly and before ones Face, ought to keep prison for the space of fifteen years; and that he who striketh behind ones back, though alone, and upon advantage, whether by taking Company along with him or otherwise, ought to keep prison during the space of twenty years complete, and that in a Town, Cittadel, or Fortress, distant at least thirty Leagues from the place where the Party offended has his ordinary Residence: and that prohibition be made by his Majesty to the Offender, not to make his escape out of prison, upon pain of Death; and to the offended not to come within ten Leagues of the place of the said prison,

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son, upon pain of Disobedience,

As to the 16, 17, 18 and 19th.
Articles, we don't think that any
thing ought to be altered.

*Made at St. German in Laye the two
and twentieth day of August, one
thousand six hundred and seventy nine.*

Signed, Villeroy, V'rancey, &c.

FINIS.
